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INCOME DISTRIBUTION

Policy shortcomings

Federal policies and programs have not improved the economic position of the poor "relative to highest income families," a study prepared for the C.D. Howe Research Institute finds.

The assumed redistribution of income toward the poor has been a factor in growing public resentment at increases in government spending and taxes. The study concludes however, that although most budget speeches from 1970 to early 1977 referred to the objective of maintaining or increasing the real incomes of the poor, "in general, the stated budgetary intentions provide no guide to the actual distributive effects of budgetary policy."

In a 66-page report on the study, entitled *In search of Robin Hood: the Effect of Federal Budgetary Policies During the 1970s on the Distribution of Income in Canada,* W. Irwin Gillespie, a professor of economics at Carleton University, notes that budgetary instruments used extensively during the 1970s, including personal deductions and exemptions from income tax and personal income tax cuts and credits, provide no benefits at all to people who are too poor to pay any income tax. The revised Unemployment Insurance Act redistributed income from the highest income families to the lower-middle-income families, but provided virtually no benefit to the poorest families.

He also comments: "The federal proposal for an income support and supplementation reform of social security would have provided a modest improvement in the economic portion of the poor relative to the highest-income families. Ironically, the one federal proposal that would have given some substance to the belief in an increasingly redistributive policy thrust has not, in fact, been put into place."

The study was released by the Canadian Economic Policy Committee a group of 80 business, agricultural, labour and professional leaders.

EMPLOYEE COMPENSATION

Paid sick leave

Annual anlyses by the Ontario Ministry of Labour show that a higher percentage of collective agreements are providing for paid sick leave. Of 892 agreements in March, 1977, 387 — or 43 per cent — had provisions for sick leave with pay. They covered 50 per cent of employees covered by all the agreements. In the March, 1976, analysis 42 per cent of the agreements studied covering 50 per cent of the employees had paid sick leave plans, while in March, 1975, the respective percentages were 40 and 48.

While the trend has been an increase in paid sick leave, there has been a concommitant decrease in provisions for sickness and accident insurance plans providing weekly payments to employees to compensate partially for wages lost during absences from work. In March, 1977, 59 per cent of the agreements analyzed had such provisions and they covered 53 per cent of the employees. The corresponding percentages in March, 1976, were 61 and 56, and in March, 1975, 63 and 56.

In all three years, most of the sickness and accident insurance plans were in manufacturing industries, and most of the sick leave provisions were in non-manufacturing industries, especially education, health and welfare, local administration and federal administration.

WAGES

First-quarter increases

The 103 major collectively bargained settlements in the first quarter of 1978 provided for average annual increases in base rates of 6.7 per cent in compound terms, down from 7.1 per cent in the fourth quarter of 1977. The figures are based on an analysis of collective agreements covering 500 or more workers in industries other than construction in both federal and provincial jurisdictions.

Average base-rate increase in

the 67 one-year agreements was 6.6 per cent. In the 31 two-year agreements it was 7.6 per cent for the first year and 6.6 per cent for the second. In the five three-year agreements, the increases were 11.3 per cent, 6.7 per cent and 5.3 per cent for the first, second and third years, respectively.

Public and private sectors compared

A study published by the Economic Council of Canada says labour market conditions play a more important role in determining wages in the private sector than in the public sector. In the study, entitled *Wage Determination in Major Collective Agreements in the Private and Public Sectors,* Jean-Michel Cousineau and Robert Lacroix report the results of their analysis of collective agreements covering 500 or more employees during the 1967-75 period. They found that public wages in the public sector are more responsive to inflation and less responsive to general labour market conditions. Wage decisions in the public sector depend on decisions that are primarily political, they argue. They also maintain that wage settlements in the private sector would be easier to achieve if they were not regularly subject to the pressure of generous settlements in the public sector.

EMPLOYMENT

Graduates' prospects

Employment opportunities for 1978 university graduating classes are good for engineering and commerce graduates but poor for graduates in nursing, law and education, according to the Technical Service Council, an industry-sponsored personnel counselling and job placement service. The council quotes one university as describing prospects for arts and science graduates as "dismal," and the council expects little change in the job market during the rest of the year.

The council's quarterly survey of 1,500 employers found a 3.6 per cent increase in job vacancies in the private sector in the first quarter of 1978. There were increases in Ontario, the Prairies and Quebec, decreases in British Columbia and the Yukon and no change in the Atlantic provinces. This is the second consecutive quarter in which the total increased, but the council says the increases have been too small to indicate a trend.

HEALTH & SAFETY

Call for new mechanisms

Dr. Bette Stephenson, Ontario minister of labour, has recommended that a mechanism for formal co-ordination be established between the provincial government and voluntary accident prevention groups. In an address to 3,000 industry representatives at the April 3-5 annual conference of the Industrial Accident Prevention Association in Toronto, she said closer co-operation would help the cause of occupational health and accident prevention.

Thomas E. Armstrong, provincial deputy minister of labour, called for more worker participation as a means of ending employees' "essentially passive role." For example, he said, the creation of autonomous work groups would give workers a sense of commitment, and redesigning the technical requirements of modern industry to conform to workers' *human* needs would help improve the quality of working life.

Armstrong called for more "collaborative instead of conflicting" modes of industrial relations. To European observers, he said, industrial relations in Canada seem static, conflictual, atrophied and resistant to change. Management fears the loss of traditional prerogatives and may doubt the workers' desire to take on additional responsibility, he said, while labour tends to be skeptical of innovations imposed by management.

His view drew support from Barry Hayton, manager of Sarnia, Ontario, operations for Polysar Limited, who said a joint labour-management safety committee set up in 1970 was relatively ineffective at first because of lack of trust. However, increased management concern for safety, following two fatalities in one year, and the production of manuals on chemical hazards and safety, convinced worker representatives that management had become truly concerned about employees' health. The appointment of two full-time safety inspectors in 1975 also helped, he said, and the plant's safety record has improved significantly.

Sweden takes another step

Sweden's new Working Environment Act, approved by Parliament in November, 1977, came into effect July 1, 1978. While it calls for co-operation between employers and workers in establishing and maintaining a healthy working environment, the main responsibility remains with the employer, who is required to take all "necessary" steps to prevent employees from being exposed to health hazards or accident risks. Employees, in turn, are required to co-operate with employers in

creating a satisfactory environment, to observe safety regulations and to exercise "necessary caution" to prevent ill health and accidents. The Act also gives an employee both the right and the duty to stop work if he faces a dangerous situation, and to report it to the foreman. Employees are expressly exempted from liability for any losses resulting from such work stoppages.

Interestingly, an article in the United States monthly *World of Work Report* credits Sweden's worker protection board, ASV, with taking the lead in achieving co-operation between employers and employees to maximize occupational health and safety. Founded in 1949 the agency came into prominence only in the 1970s when issues of health and safety began to receive dramatically increased attention.

"The ability of the ASV to develop occupational safety and health regulations acceptable to all parties — workers, employers, unions and the government — is a reflection of the character of Swedish management relationships," the article observes. Normally the agency forms a committee of labour and business representatives to draw up safety regulations.

The article also says that plant level safety stewards have a key role to play. Not only do they encourage safety consciousness among employees but they also work "to increase workers' knowledge about the existence of unsafe conditions, so that they will complain or even quit their jobs if workplace hazards go uncorrected, thus creating an incentive for employers to comply with ASV safety regulations." It adds: On an everyday basis, and in safety committees, stewards remind management to obey the law."

The report adds: "On balance, the Swedish approach to protecting worker health and safety seems to have worked, at least in part because of the high degree of management involvement in the process of formulating regulations, but perhaps more so due to joint labour-management co-operation in reaching agreements on issues of mutual concern."

WORK STOPPAGES

UAW leads

An analysis of strikes in manufacturing during the 1968-77 period supports the findings of previous research that showed the United Auto Workers to be the most strike-prone union in manufacturing in Canada, with the United Rubber Workers ranked second. The analysis also tends to refute the idea that strikes generally "clear the air" for a while and promote peaceful negotiations in future years.

The analysis was carried out by Karen Croft, a fourth-year Commerce student at Queen's University, Kingston, Ontario, in association with Dr. L.A. Kelly, editor of *IR Research Reports,* and a part-time lecturer in Queen's School of Business. It was based on a sample of 82 companies which had 343 settlements — an average of just over four per company — during the nine year period. The agreements involved 500 employees or more.

Over the period, 22 per cent of the settlements were reached after a work stoppage. If they had been evenly distributed, nearly all of the 82 companies in the sample would have experienced one work stoppage. In fact, only 45 of the companies (55 per cent of the total) experienced a work stoppage. "More significantly," notes *IR Research Reports,* "21 companies had two or more stoppages and in these companies the incidence of strikes amounted to 61 per cent of the settlements reached." The periodical also notes that 17 of those companies experienced work stoppages in two or more consecutive rounds of negotiations, and that eight companies, whose settlements represented just over 9 per cent of the total, accounted for slightly more than one third of the stoppages; 17 companies which had about 20 per cent of the settlements, accounted for nearly 60 per cent of the stoppages; and 21 companies, with just over 25 per cent of the settlements, accounted for 70 per cent of the stoppages.

A general conclusion emerges from the analysis: "While variations in the overall level of strike activity from year to year largely reflect economic conditions, more attention needs to be focussed on the factors which give rise to recurrent conflict in particular bargaining situations as well as on the factors which lead to peaceful bargaining in other situations over sustained periods of time.

LAYOFFS

Commission of inquiry

A commission of inquiry into layoffs and redundancies in industries in the federal jurisdiction has been established by the Canada Department of Labour. Its members are Dr. A.W.R. Carrothers, a Vancouver lawyer and mediator, Jack Munro, president of District 1 of the International Woodworkers of America, and Charles Perrault, Montreal consultant and former president

of the Conseil du Patronat du Québec. The terms of reference of the Carrothers commission include studying the possibility of changes and improvements in practices and procedures of employers, unions and government "with a view to avoiding layoffs to the extent possible and minimizing their adverse effects when they do occur." The commission is also to investigate the possibility of developing a code of good practice with regard to redundancies and layoffs. (See also p. 347)

LEGISLATION

Labour Code amendments come into effect

Important amendments to the Canada Labour Code, designed to improve the working environment and streamline the labour relations system, have started coming into effect as of June 1.

The amendments, contained in Bill C-8 passed by the House of Commons in April, apply to some 560,000 employees in federally-regulated industries, such as railways, airlines, banking, trucking, broadcasting, grain-handling, communications and port operations. They deal with general work conditions as well as with relations between unions and employers on the one hand and between unions and their members on the other.

The general provisions relate to such issues as hours of work, paid vacations (these went into effect June 1) and sick leave; regular payment of wages; protection for workers against unjust dismissal; the right of workers to refuse to work under conditions of imminent danger and the creation of health and safety committees (coming into effect Sept. 1). A provision dealing with the appointment of arbitrators took effect July 1.

The Bill provides among other things for increasing the number of statutory holidays from eight to nine; eliminates pregnancy as a cause of dismissal; and contains new bereavement leave provisions. It requires unions to furnish members with financial statements and to fairly represent members of the bargaining unit, and it aims also at ensuring objective referral procedures by union hiring halls.

The Canada Labour Relations Board is given more discretion to order representation votes and related run-off votes, and to formulate provisions of a first agreement if the parties themselves are unable to hammer one out. The CLRB is also empowered at the request of either an employer or a union to declare that a strike or a lockout is unlawful.

The amendments represent the first major revisions to the Labour Code in five years. Labour Minister John Munro described them as "a charter for workers' rights though as yet not a full and complete one." About 53 per cent of the workers affected do not have the benefit of belonging to a union.

EDUCATIONAL LEAVE

Labour Canada establishes commission of inquiry

The federal government has established an inquiry commission on educational leave and productivity.

Members of the commission are chairman Roy J. Adams, of the Personnel and Industrial Relations Committee, Faculty of Business Administration, McMaster University; Robert Bouchard, vice-president, Quebec Federation of Labour; and J.W. Henley, vice-president, Human Relations Resources Planning, Westinghouse Canada Ltd.

The commission's terms of reference are:

- to inquire into public awareness, interest in and commitment to leave for education purposes;
- to review current practice both in Canada and elsewhere;
- to receive briefs from concerned persons containing their views on various systems of leave for educational purposes;
- to make an assessment of the cost-benefits of educational leave and its impact upon productivity and employment;
- to make such recommendations with respect to public policy or policies that might be adopted by labour and management as may seem appropriate;
- any matters incidental or relating to any of the foregoing matters.

This commission of inquiry is the third announced this year by Labour Canada — the other two being a study of wider-based bargaining and the commission on redundancies and layoffs.

PENSIONS

Inadequate

Briefs and letters submitted to the Royal Commission on the Status of Pensions in Ontario reflect widespread concern about inflation which has cut deeply into the purchasing power of private pensions, "many of which were

far from generous when they commenced," says a report in *Mercer Actuarial Bulletin,* monthly newsletter of the Toronto actuarial firm, William M. Mercer Ltd.

The actuarial bulletin says 200 submissions have been filed with the commission, ranging from one-page letters to 190-page briefs. Nearly two thirds were from individuals. The rest were from organizations including pensioners, old people's organizations, unions, employer groups and pension industry groups.

"The most common complaint from individuals, not surprisingly, is simply that the amount of pension is insufficient and is declining as a result of inflation," the report notes. It also comments: "Although the royal commission is well advised to sound out grass roots opinion, equal weight cannot be put on each brief.... It will have the difficult task of weighing the arguments put forward and taking proper account of, but not being governed by, the majority opinion."

RETIREMENT

Meeting new rules

New United States legislation which raises the mandatory retirement age for most workers to 70 from 65 has reportedly sent shock waves through the business world. Pension plans are being rewritten or renegotiated, and some firms are trying to come up with new evaluation systems that would help to weed out unproductive workers aged 65 or less. One U.S. periodical notes that the Equitable Life Assurance Society put a committee to work months before the legislation was adopted to recommend to management the policy changes that will be necessary because of the law. *U.S. News and World Report* notes that Equitable, like many other firms, has tended to allow "marginal" employees in their 50s or early 60s to remain at their jobs until age 65. Now that practice may change.

Some business leaders, however, do not see the law as too difficult to live with. Emory H. Taylor, vice-president of human resources for Gold Kist Inc., an agribusiness firm based in Atlanta, Ga. told *U.S. News and World Report:* "We will be able to retain people who have good health and want to stay on for an additional five years." The magazine also notes that the impact of the law may not be as severe as many business leaders fear, because the trend for years has been toward earlier rather than later retirement.

WORKING TIME

Effects of compressed work week reassuring

A recent study by the Quebec Ministry of Labour and Manpower discounts the widely held view that workers who went on a compressed work week schedule would use the extra days off to look for part-time work. The survey of 938 employees of 42 firms found that few of the employees took up a second job and many who previously held one gave it up when a compressed work week was introduced. While the responses did not indicate any change in job satisfaction, they did show increases in off-the-job satisfaction, including more enjoyment of family life. The researchers, Viviane Benmouyal-Acoca, René Boulard and Bernard-M. Tessier, report their findings in a publication entitled *La semaine comprimée et les travailleurs,* published by l'Éditeur officiel du Québec.

Sabbaticals for all?

Work sabbaticals in Britain have been reserved for a privileged few but an article in *The Economist* reports that in the future, these breathing spaces should be available to all workers.

The article indicates that most companies now give sabbaticals only to workers wanting to study topics close to the corporate heart. But a few companies are taking a leap forward and the British are starting to see a blurring of the divisions between work, education, leisure, and even retirement.

Barclays Bank, for instance, is allowing workers to hoard holidays over a period of years to take time for such esoteric exercises as enrolling in the Royal College of Music. Two British subsidiaries of American companies (Rank Xerox and IBM) offer their staff social service leave. One senior product engineer at Rank Xerox was given five weeks off to open a community centre in his housing estate. The 89-member industries of the Action Resource Centre are prepared to lend staff on full pay to charities or good causes.

The employers who have tried work sabbatical schemes feel it is a positive move and the article points out sabbaticals might soon become a right, not a privilege in Britain.

INDUSTRIAL DEMOCRACY

Easy does it

The United Kingdom is taking the first cautious steps toward workers' participation in corporate decision making. But it may be some time before any concrete action is taken.

A White Paper on "industrial democracy," outlined to Parliament by the Labour government in May, envisages a series of measures to introduce workers' participation in more or less manageable doses.

The general principles spelled out in the White Paper would demand that companies with more than 500 employees "consult" workers' representatives before major decisions are taken. Where a company has more than 2,000 employees, workers would eventually have the right to appoint members on the "policy board" empowered to deal with broad policy lines — as distinct from the management board which handles actual day-to-day operations.

Workers should have the right to appoint up to one third of the policy board members, "with parity as an ultimate outcome" not ruled out. But in any event workers will not start exercising this right except after three or four years of an initial experiment with management-labour consultation.

The White Paper came as a compromise to recommendations made in 1977 by a committee on industrial democracy headed by Oxford University historian Lord Bullock. These recommendations, strongly criticized in some circles, had called among other things for equal labour-management board representation.

Prime Minister Callaghan said ironing out the necessary legislative details of the plan would hopefully be a priority on the agenda of the next Labour government. He said there was not enough time for this now with parliamentary general elections due next year.

Callaghan characterized the objective of the White Paper as "positive partnership between management and workers rather than defensive coexistence." He said that employees at every level will share the responsibility for making their company a success if they have a real share in decision making.

The cautious and flexible approach taken is seen as motivated by the government's desire to avoid interfering with the process of collective bargaining, which may spawn participation formulas better suited to the conditions of each company. Meanwhile the government intends to establish an industrial democracy commission to speed up implementation of the plan.

Participation "sidetracked"

The worker participation movement in Europe has been "sidetracked" according to a report in *Business Week.* Except for Scandinavia, industrial democracy schemes have been hampered by recession, growing union skepticism, and employees' preoccupation with other issues, says the periodical. It also notes that in some countries like Sweden where worker participation remains strong, "attention is now shifting to what some consider the next step — worker ownership." It says labour opposition to workers' sharing control of companies is especially "keen" in France "where Communist and Socialist unions look instead to nationalization as a solution." In many other countries, where less labour opposition exists, sluggish economies have left employers reluctant to experiment.

THE WORKPLACE

Maintaining harmony

Dominion Foundry and Steel Ltd. of Hamilton has achieved harmonious relations with its employees because of a long history of "paternalistic affection," says a report by J.R. Perigoe in the *Canadian Personnel and Industrial Relations Journal.* Don Pepper, Dofasco's vice-president, personnel, is credited with continuing a viewpoint established by the company's founder, Clifton Sherman, in 1912:

"At Dofasco we have 10,000 employees and no employee-representation at all," Pepper is quoted as saying. "We do have an advisory committee for our profit-sharing plan that includes elected employees. Complaints are handled through our open-door policy which is entwined with the golden rule. Management asks itself, 'What would I like if I were the employee?' Employees can take their complaints right up to the president, and about 12 a year do. Nothing is held against employees who have complaints if they follow the line of command through supervision, next level of management, personnel and finally to the president."

The company has had its profit-sharing plan since 1938. It operates a 50-acre recreational complex for employees on Hamilton mountain, and it holds an annual Christmas party for employees and their families at which all levels of management mingle with workers. "Over the years, a feeling of mutual respect has been built up between management and the employees," Perigoe says.

ARBITRATION

Trend reversed?

Unions negotiating under the Public Service Staff Relations Act may be swinging away from the wholesale rejection of arbitration

of interest disputes that occurred in 1975 and 1976. Leslie W.C.S. Barnes, in an article in *IR Research Reports,* says there has been, in fact, a marginal reversal of the trend. He notes that in 1970 bargaining units representing 81 per cent of employees opted for arbitration while only 19 per cent opted for the conciliation-strike route. By 1975 the percentages were 36 for arbitration and 64 for strike-conciliation, and in 1976 they were 29 and 71 respectively. However, in 1977, bargaining units representing 30 per cent of employees chose the arbitration route and 70 per cent, conciliation-strike. Barnes says that while factors outside the collective bargaining system influenced the change, credit must also be given to improvements in the arbitration system.

"During the past year, for example, there have been useful instances of arbitration tribunals providing explanations of their findings and, like conciliation boards, giving at least guidelines to the parties on matters in which they have not, for one reason or another, been able to make arbitral awards," he writes. "Tribunals have also given both the unions and the Treasury Board stiffly worded lectures when the data presented by the parties have not been sufficient to permit the tribunals to come to satisfactory conclusions."

WOMEN

Quebec maternity leave

An amendment to the Minimum Wage Act in Quebec will for the first time guarantee women maternity leave without fear of job or seniority loss.

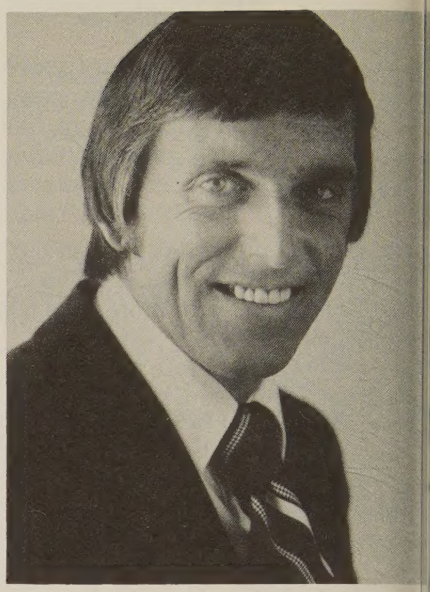
Designated as Bill 43, the amendment forbids employers to dismiss, transfer or suspend employees claiming maternity leave. This particular issue has been a long-time Parti Quebecois platform plank.

PEOPLE

White UAW director

Bob White was elected Canadian director and an international vice-president of the United Auto Workers at a special convention, in Toronto April 22. He succeeds Dennis McDermott, whose administrative assistant he had been for the past five years. McDermott was elected president of the Canadian Labour Congress earlier in April.

White, 43, was born in Ireland but immigrated to Canada with his family in 1949. He has been an active member in the UAW since he held his first job in Woodstock, Ont., at age 15, and was appointed an international representative in 1960.



CONVENTIONS

PEI Federation of Labour

The 150 delegates to the Prince Edward Island Federation of Labour Convention, in Charlottetown, April 28-30, heard Canada's chartered banks criticized as "exploiters" of women workers. Donald Montgomery, secretary-treasurer of the Canadian Labour Congress, also accused the banks of conducting "the most vicious, highly organized and expensive union-busting campaign in the country." He also said that while women make up 72 per cent of the banks' employees, they make up less than 1 per cent of their managers.

He also said the CLC is stepping up its activities on behalf of equal employment opportunities for women in other industries. "We have given too much time to talk and too much time to resolutions, and now is the time to build the fighting organization that will achieve equal rights for women in the workplace," he added.

The delegates adopted resolutions calling for higher salaries than the $10,800 a year advertised for two inspectors to be hired by the provincial Workmen's Compensation Board, and condemning Premier Alex Campbell for statements he made at a news conference which delegates felt were unduly critical of public servants.

Leonard Murphy, a member of the Letter Carriers Union of Canada, was re-elected for a three-year term as secretary-treasurer. The office of president, held by Jim Gyrus, was not up for election this year. lg

special reports

INDUSTRIAL RELATIONS

The prospects for bank unions — an investor's perspective

A firm of Canadian investment counsellors predicts some increase in bank unionization, but says "unionism will not become widespread, bank unions will not be militant and bank wage costs will not explode." Burns Fry Limited, in a report entitled "Labour Unions and Chartered Banks," also predicts that it will take five years to decide the issue.

The report notes the landmark decisions in 1977 by the Canada Labour Relations Board and the Ontario Labour Relations Board allowing union organization on a single-branch basis rather than on a regional and national one, and the formation by the Canadian Labour Congress of a Bank Employees Organizing Committee to spearhead a well-financed organizing campaign.

Burns Fry says the "evidence" supports their conclusions: The union movement itself seems divided over jurisdiction. Unions have had little success with white-collar workers, outside the public service. Bank compensation levels appear generally competitive. Improved federal and provincial legislation is broadening the protection of unorganized workers, extending their rights "and reducing their incentive to join a trade union."

The firm says that among individual banks, the Royal and Toronto-Dominion "have the least to fear" from the prospects of unionization because they "appear to rank at the top" in terms of both labour relations and compensation and benefit levels.

It suggests another difficulty for unions seeking to promote militancy: "Initial indications are that the single-branch bargaining unit will be 'vertical' and will contain a hierarchy of grades (i.e., all positions beneath that of accountant, rather than all tellers).

Unionism will not be widespread; bank unions will not be militant, and bank wage costs will not explode

British experience with unions of this type (especially the National Union of Bank Employees) suggests that the union organization will exhibit a low degree of militancy because of the lack of a common unifying purpose and the employees' fear that militant action might damage their chances of gaining promotion. The high public visibility of bank branches should also moderate militancy."

Burns Fry argue, therefore, that while the 1977 CLRB and OLRB decisions "have technically opened the door" to bank unionization, "it is unlikely that widespread employee support will be forthcoming" — for several reasons:

- The growth of white-collar unionism in general will continue to be slow.
- There is "little evidence" that salaries or working conditions of bank employees would be materially improved by unionization.
- Turnover for clerical positions is quite high (the Bank of Canada has estimated it at 35 per cent), making union organization difficult.
- The physical problem of organizing the far-flung branch network of the Canadian banks is enormous.
- Bank management can be expected to mount an effective campaign against unionization.

However, the report says data centres are far more vulnerable to unionization because of a high concentration of employees, largely female, at the junior clerical level. It also says bank branches operating in communities where most employees are organized "or where feminist movements are strong" also appear to be susceptible to unionization.

The report says the CLRB's definition of a single branch as a bargaining unit caught bank management off guard. As a result, management likely will exhibit a heightened "sensitivity" to personnel relations, "and perhaps will accelerate the implementation of policies designed to improve them" — clearer and more formalized salary and promotion policies and, possibly, "more active" staff associations. It notes that staff associations are credited as a major factor in restraining the growth of bank organization in Britain. "This, combined with increasing evidence that banks are becoming more flexible in adjusting working conditions, salaries and benefits on a regional basis in response to unionization pressure, suggests that banks will be able to mount an effective campaign against unionization.

"On balance, we believe that unionization is not likely to overtake the banking industry to a significant degree — at least over the next five years." lg

Comment on amendments to Quebec's Labour Code

Since Bill 45 amending the Quebec Labour Code was adopted in December, 1977, by the Quebec National Assembly, its so-called "anti-scab" provisions have drawn so much public attention that a perhaps even more significant change has gone almost unnoticed — the elimination of compulsory conciliation.

In an article in the June issue of *La Gazette du travail, Louis-Gilles Francoeur,* labour reporter for the Montreal daily *Le Devoir,* says this "less spectacular" provision may well prove to be Bill 45's principal contribution to the functioning of the labour code: "It means the right to strike can be acquired the very day a collective agreement expires, eliminating the compulsory 60-day conciliation period."

Conciliation was frequently used in the past in ways that "ran counter to its intent," Francoeur writes. "The parties frequently demanded the presence of the conciliator to demonstrate their dissatisfaction rather than to make genuine use of his services. Conciliators were swamped with totally unproductive cases, which meant they could not devote their efforts to cases where their presence was genuinely desired. Since conciliation will be optional in future, it will have a greater chance of playing its intended role."

He adds: "By making the acquisition of the right to strike coincide with the expiry of the collective agreement — barring agreement to the contrary between the parties — Bill 45 more or less obliges the employer and the union to prepare for negotiations much earlier than in the past. In so doing, the government is clearly counting on the quasi-automatic nature of contract expiration to put an end to the various delaying tactics the parties might use to drag out conciliation and postpone any show of force until a more opportune time."

The amendment, he says, will also prevent employers "from changing working conditions unilaterally" between the end of a collective agreement and the beginning of a strike and lockout.

Another "substantial" amendment, he says, is that which allows the minister of labour to submit stalemated negotiations over a first agreement to an arbitration board. "Experience has shown that negotiation of a first agreement is frequently the occasion for socially disruptive confrontations by employers, determined at all costs to crush the fledgling union," Francoeur maintains. The board has the power to determine the content of a one- or two-year collective agreement, and to order an immediate end to a strike or lockout.

Another provision with "profound" repercussions is the creation of an arbitration tribunal: "Bill 45 substantially changes the status of arbitrators chosen by the parties or appointed by the minister. The former 'arbitrators' will now become members of a tribunal whose powers are precisely defined in the bill. The importance of this change is better understood when it is realized that Bill 45 gives arbitration decisions — i.e., decisions of the arbitration tribunal — the same force as the decisions of a Quebec superior court judge. In future, failure to implement a decision of this new tribunal will be equivalent to refusing to comply with a court order. It could lead to contempt proceedings, with a fine of up to $5,000, with or without a prison

sentence of one year." Employers who ignore decisions of an arbitrational tribunal will be liable to a charge of contempt just as union members are when they disobey an injunction limiting picketing at a factory gate.

Moreover, the arbitration tribunal is required to render its decision within 90 days. Otherwise, the provincial labour board may set a deadline and, if it is not met, the members of the tribunal could lose their honoraria.

Other amendments have, of course, drawn more public attention. Limits have been placed on employers' rights to use strike breakers; representatives of workers who acquire management roles in worker participation experiments will not, as in the past, be excluded from the protection of the collective agreement; compulsory payment of union dues is extended to all members of a certified bargaining unit; a union will have to sign up only 35 per cent, rather than 50 per cent, of the bargaining unit to get the right to a certification vote; union elections and strike votes must be by secret ballot; unions and employers must give the minister of labour 48 hours notice of a work stoppage; employees may appeal to the minister of labour against discriminatory or arbitrary actions by their union; unions are required to divulge their financial statements to their members, and employers are forbidden to negotiate with a union to procure the dismissal of an employee on the grounds that he was either not admitted to the union or was expelled from it.

Francoeur says the bill does not merely patch up the old code but represents "a classic statement of the idea of the state as arbitrator." He comments: "By dealing with causes of violence such as the use of strikebreakers, by barring authoritarian unionism, by making secret ballots obligatory and by including some provisions against arbitrariness, by revitalizing the essential function of conciliation, by preventing reactionary employers from crushing new unions during initial negotiations and, in addition, by ensuring enforcement of collective agreements through increasing the power of arbitrators, Bill 45 represents an important application of the 'social democratic' philosophy of Rene Levesque's government, and is not merely a reflection of a 'bias in favour' of workers."

He says the success of the reform is therefore of major interest not only to labour relations specialists, but also for legislators "who need to test its philosophy against reality before going further."

During the last 10 years, the Quebec Labour Code had lost much of its credibility with unions, Francoeur says, "as shown by the proliferation of illegal work stoppages." He comments: "This situation is explained essentially by the fact that the rights granted by the code were increasingly being denied in practice by 'refinements' in the practices of many employers.

"Will the Bill 45 amendments succeed in generating a new consensus in Quebec regarding the rule of law in labour relations? This is perhaps fundamentally a question about what type of society is beginning to emerge, rather than simply about the fate of the future of the Quebec Labour Code." lg

THE ECONOMY

Canada in the world economy

Canada's vulnerability as a country heavily dependent on exports was the theme of much of the discussion at a Spring conference in Montreal on "Canada in the World Economy," sponsored by the Conference Board in Canada. One session was concerned with the broad topic of Canada's future as a trading nation, while others discussed freer trade and trade promotion.

In his opening address to the conference, Grant Reuber, chairman of the Ontario Economic Council, expressed the concerns of many of the 200 delegates when he spoke of a "new reality" — an international economy that imposes major constraints on domestic policies and practices. He also said that to resort to protectionist measures, instead of adapting to that reality, would be futile in the long run.

"Our ability to adapt to the emerging new reality will depend largely upon the rewards we are prepared to offer those who do adapt and the penalties we are prepared to impose on those who do not," he said. "For the business sector this means the acceptance of high profits for those enterprises that are capable

of coping effectively with international competition as well as the acceptance of business losses or bankruptcies for those enterprises that cannot. For labour it means accepting a standard of living that corresponds with our productivity in relation to that of our major competitors abroad. And for government it means policies that are consistent with our international competitive position."

Fergus J. Chambers, assistant deputy minister of industry trade and commerce, described the government's objective as providing "a supportive framework" through its industrial policy that would allow "creative industrial development" by the private sector.

He added, however: "The government can aid the working of the market place in adjusting to the changing environment, but it is the business community and their employees who must make the changes and capitilize on opportunities as they present themselves."

He followed up Reuber's "new reality" theme by describing several trade factors which, he said, must be taken into account in developing industrial policy for the next decade: the Japanese and European economies have rebuilt and now are aggressive competitors in all parts of the world. The United States is now placing much more emphasis on its self-interest. Less developed countries have been capturing a larger percentage of world investments and markets for their industrial countries.

"The developing countries have focussed on labour-intensive, standard product and standard technology industries such as clothing, footwear and consumer electrical products," he pointed out. "The impact of these industries is one of the major industrial adjustment issues facing Canada today."

"Our ability to adapt to the emerging new reality will depend largely upon the rewards we are prepared to offer those who do adapt and the penalties we are prepared to impose on those who do not"

Another factor was the "massive shift upwards" in energy prices "and the world has suffered from continuous high rates of inflation and over capacity." Finally, he said, "our cost structure has grown much more rapidly than that of our principal competitor, and trade partner, the United States."

James G. Frank, director of the Conference Board's compensation research centre, said Canada can still compete internationally in such industries as iron, steel, forest products and primary semi-processed products. However, he said, "it remains a dilemma for Canadians whether they wish to maintain employment in less competitive industries at the expense of higher costs to consumers." Despite the devaluation of the dollar, he did not think Canadian industries that face their strongest competition from low-wage developing countries would experience "any significant turnaround" in terms of employment growth, recapturing a bigger share of the domestic market or greater export sales.

Kevin Collins, senior economist for the Canadian Labour Congress, said it is essential that the issue of jobs be the paramount one at the current Multilateral Trade Negotiations at Geneva. "When goods are traded, jobs are traded as well," he argued. "Canada's imports are considerably more labour intensive than our exports. Canada has been exporting natural resources...and importing the

services of other countries' labour — even though Canada underutilized its own labour force." To Collins, a full employment economy is the best "adjustment" conceivable in the context of liberalized trade.

Collins said the lowering of tariff barriers following the 1967 Kennedy Round of trade negotiations was counter-balanced by increases in non-tariff barriers.

T.M. Burns, president of the Canadian Export Association, said non-tariff barriers included not only deliberate restraints on trade but also the introduction of regulations on such matters as pollution or health "which are legitimate in themselves but risk interfering with the free flow of trade." Other barriers were technical standards and government procurement practices.

Ambassador J.G. Warren, Canadian co-ordinator at the Geneva negotiations, assured conference participants that Canada has made it clear that its objectives include progress in non-tariff barriers affecting Canadian trade.

Alberta's situation reflects Canada's dependency on international trade, the provincial deputy minister of business development and tourism pointed out: "With fewer than 2 million people spread over a quarter million square miles, Alberta, like the rest of Canada, suffers the inhibiting effects of a small domestic market. This necessitates the penetration of outside markets in order to achieve significant economies of scale."

Eric Hehner, chairman of the Board of Corporation House Ltd., pointed out another particular Canadian problem — the country's vulnerability to dumping: "We have a high propensity to import goods competitive with Canadian production, goods which are mass-produced and where there is a high propensity to dump. Our geographical position, the nature of our economic development, our relatively open economy, and a variety of other factors have combined to create this situation. Also, the relative smallness of the Canadian economy makes the impact of a given quantity of dumped imports far greater in Canada than in a larger economy."

Finally, John E. Toten, chief economist of the Bank of Montreal, told delegates at a session on freer trade that devaluation of the Canadian dollar is no long-term solution to their problems. "The fact is that inflation remains Canada's number 1 problem," he maintained. "If we are unable to solve that problem, our currency will provide only very temporary relief."

A week after the Montreal conference, *The Toronto Star* began a series of three articles by Bruce Wilkinson, a professor of economics at the University of Alberta, who described Canada's competitive potential as "dismal."

More and more, Wilkinson wrote, "the production of mass-produced assembly line products will be shifted to developing lands, as we can already see happening in automobiles." lg

EDUCATION

A difficult transition to working life

Students leaving high school or university today are armed with certificates, degrees or diplomas and little else with which to face the demands of the working world. According to the Organization for Economic Co-operation and Development (OECD), the problem will continue to grow unless governments institute long-range plans to merge education and working life.

"The overall structure of employment in the economy and the content of most jobs do not correspond to the higher levels of educational attainment and aspirations," reports an OECD Joint Working Committee. In a recent report entitled, *Education and Working Life,* the Committee focused on two issues facing member countries: the transition from education to working life and the utilization of education in employment.

Many young Canadians have grown up with the outdated dream that education means high-paying jobs. But Canada, like other OECD member countries, is recovering from a recession that the committee termed "the most extensive, deepest and longest since the postwar years." Young people are being forced to realize that there is nothing in the system guaranteeing the "good life." The report indicates that: "There remains a high proportion of jobs that are dirty, dangerous, boring, entail low

skills, are low in pay or status or offer no possibilities for development, many of which do not attract members of the domestic force even when unemployment is high."

Governments, industry and education systems must recognize the need for greater co-operation to offset the problems of the student's transition to working life. The report recommends schools give full or at least partial credit for practical experience gained through employment.

Canadian students are still relying on teachers' perceptions of their abilities and an ad hoc method of choosing a career

Ontario teachers are recommending greater use of work placements within the school curriculum; and in Saskatchewan, commercial and technical students are given academic credit for work experience arranged by the schools on full-day, half-day or staggered-day schedules.

In the present Canadian system, the upper high-school levels are geared toward university or community colleges. Yet, as the OECD reports, the majority of students enter the work force between the ages of 16 and 19. The schools are not preparing their students for the working world. Whereas most schools offer classes in sex and driver's education, little or no time is spent on an introduction to the economy, the nature of enterprise, the role of unions or other background knowledge so necessary for work.

But even if the government and the educational system provided for both job experience and work value instruction, there still remains the overwhelming problem of streaming students into the areas where their talents might be applied. Counselling services are under strain to advise on employment prospects and are exposed to criticism when there are scarcities of jobs or of manpower. In the United States, technical innovation in computers has made it possible for detailed employment information to be accumulated, stored and distributed inexpensively within the education system. Students can determine how to qualify for jobs and training programs and discover the number of jobs that should be available when they enter the labour force. Canadian students are still relying on teachers' perceptions of their abilities and an ad hoc method of choosing a career.

With an increasing number of educated Canadians, another problem faces all workers and employers — higher aspirations and demands from workers.

"Employment patterns have yet to fully reflect the expansion of education, partly because of unsuitable personnel planning, which fails to take into account the changes in the labour force," reports the committee. Workers expect a greater say in management decisions and they want more opportunities for training and education. The committee recommends that it be considered a basic right for workers to receive a certain number of years of education, subsidized by the government, irrespective of when it is taken. In Sweden, unemployed youth fill the gaps when older workers go on training. The older worker is satisfied and the young worker becomes more aware of employment conditions and job prospects.

The OECD recognizes that a push for adult education and retraining

"Employment patterns have yet to fully reflect the expansion of education, partly because of unsuitable personnel planning..."

may change current societal norms. The committee wrote in the report that: "There are reasons to believe that the traditional sequence of education, working life and retirement, which is still the predominant pattern of life for most members of the labour force, may need to be modified." Furthermore, the OECD notes, many persons are more motivated to action than to learning in youth and to reflection rather than action when older.

Employers must be aware of how employees' attitudes are changing and train management to become more concerned with the quality of working life. In a step that looks toward the future, the OECD suggests that it could be a prior condition of public authorization of the finance or location of an enterprise that an assessment be made of the potential impact of manpower in the enterprise and outside it.

But underlying the concerns of the OECD for greater liaison between the working world and the ivory tower lie some practical concerns that cannot be overlooked. One problem concerns the matter of social priority: unemployed workers with family responsibilities and the number of older and retired workers may limit the extent to which employment opportunities can be created for young people under current and prospective economic conditions. Furthermore, government, business and the academic community will not start working together immediately — especially in times when funding is scarce. lg

Layoffs — can they be avoided?

by Ed Finn

Not all the million or more Canadians without jobs are the victims of layoffs. Some of the younger jobless persons have never been able to find work. Others have left jobs voluntarily for some reason. But it would be safe to say that at least two-thirds of the unemployed — about 700,000 of them — have been "involuntarily separated" from their jobs.

Why were they laid off? Could the layoffs have been avoided? What have their employers, unions and governments done to help them find new jobs, or to cushion the impact of being jobless? Did they receive severance pay? Were they provided with retraining or relocation assistance?

These questions, which go to the core of Canada's shockingly high unemployment rate, are now being pondered by a three-man industrial inquiry commission appointed earlier this year by labour minister John Munro.

The commission chairman, lawyer and mediator Dr. A.W.R. Carrothers, and his fellow commissioners, Jack Munro of the International Woodworkers of America, and Montreal business consultant Charles Perreault, have already received numerous briefs from labour and business organizations, and were scheduled to conduct hearings across the country in August and September.

Their terms of reference seem at first glance to be quite broad, allowing them to probe into the causes of layoffs as well as looking into ways of alleviating their adverse effects. The latter purpose, however, was the only one alluded to in the Minister of Labour's announcement of the commission's establishment. This raised some concern among unions that the inquiry would not question employers' layoff decisions, but would confine itself to dealing with the plight of workers who are laid off.

Canadian Labour Congress president Dennis McDermott wrote Dr. Carrothers in May to ask whether his commission would indeed exclude any examination of layoff causes. McDermott noted that the terms of reference refer to the commission's function as one of seeking ways "to mitigate adverse effects of redundancies and layoffs." He said that, if that is the limit of the commission's purpose, its role "will be essentially negative."

"For the large majority of people, their job is their principal asset." A worker should be deprived of his or her job only under exceptional circumstances, and only when all attempts to find an alternative solution have failed

McDermott urged the commisison chairman to interpret the terms of reference "in the broadest possible manner" to include such issues as government economic policies, technological change, corporate investment and pricing policies, international trade, and bankruptcy.

In his reply, Carrothers did not give the CLC that kind of assurance. He did say, however, that, "although the immediate objective of the commission is to recommend a code of good practice, we are commissioning a study that will review causes.... You are of course at liberty to put into your brief such materials as you consider appropriate; you may rest assured that you will be heard."

This still leaves open the question of whether, or to what extent, the inquiry will try to ascertain the reasons for layoffs, and, beyond that, whether companies could justify abolishing jobs in order to improve efficiency or profitability. Going even deeper are questions relating to business firms' social responsibility, the relatively new concept of a worker's "property rights" to his job, and whether the managerial right to hire or fire should be absolute.

These are complex and controversial issues. They are rooted in our system of values as well as our economic system. No one would assess them as being easy to examine, let alone change. And yet they are inextricably linked with unemployment in general, and layoffs in particular. If the commission ignores or evades them, its report will necessarily be superficial and of little real use to anyone.

The unilaterial right of employers to deprive workers of their jobs is one of the last vestiges of laissez-faire capitalism. It goes back to the beginning of industrial society, when the doctrines of individualism and property rights pre-

dominated. Owners of business firms were considered free to operate them entirely as they saw fit, and to set the terms of employment on a take-it-or-leave-it basis. Workers either accepted what was offered, or looked elsewhere.

Gradually, however, in response to union and social pressures, the state decided to establish some minimal conditions of work, in the form of factory acts and various minimum-wage and standards laws. But the core of laissez-faire philosophy — the right of employers to operate their companies for economic efficiency and private gain — remained essentially unchallenged in most countries until recent times. Inherent in that perceived corporate right was the freedom to increase or reduce the work force as, how and when management so decided.

This managerial right is still virtually intact in the United States, and only very marginally diluted in Canada. But in most other industrialized nations it has been sharply curtailed, and subordinated to both broader social interests and to the economic well-being of working people.

The new set of values rejects the view that business can function independently of the community, and shrug off any responsibility for the effects of its actions on the community. We have seen the first manifestations of this changed outlook in the public clamor for more effective anti-pollution measures, for more protection of consumer rights, and for a stricter code of business ethics.

The Europeans — and, in a different way, the Japanese — have gone a big step further to impose on their corporations a greater

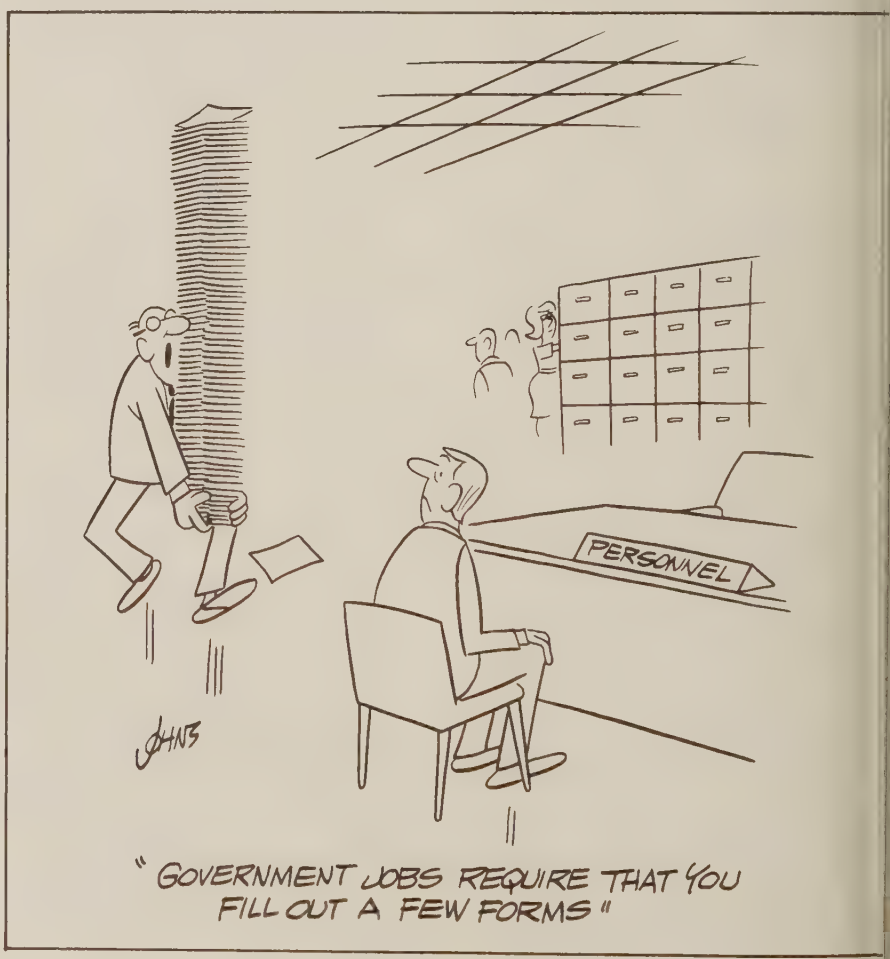
...some concept of the worker's right to his job is implicit in the legislation of most European countries

obligation for the economic welfare of employees. This takes several forms, among them a compulsion to justify layoffs and to make every effort to avoid them. The need to maintain efficiency and a reasonable profit remains paramount, but is tempered by the concept of workers' property rights in their jobs.

Prof. Kahn Freund, the famous European labour lawyer, has referred to "the analogy between ownership of tangible assets and tenure of employment.

"For the large majority of people," he noted, "their job is their principal asset" in which they have invested their time, skill and effort. It follows, therefore, that a worker has at least a morally legitimate claim to keep his "property" — his job — and should be deprived of it only under exceptional circumstances, and only when all attempts to find an alternative solution have failed.

Peter McCarthy, in a study of this subject for Labour Canada, pursued this line of reasoning: "If separation is unavoidable for reasons of economic efficiency, the price of the employee's property is the fullest consideration for his economic and social welfare before, at the time of, and after job termination. This is a



"GOVERNMENT JOBS REQUIRE THAT YOU FILL OUT A FEW FORMS"

esponsibility to be shared by the state and the employer — the state by translation of the principle nto practice by legislation; the employer by adherence to the ules laid down by law or by collective agreement."

Even in the more enlightened European countries, employers have not willingly embraced a commitment to their workers' welfare. But they have been subjected to much more pressure from governments and unions to do so. In Japan, of course, such pressures are mainly cultural. That country's social customs have led

The degree of job protection and job-loss compensation accorded to Canadian workers falls far short of the European average

o a much more paternalistic relationship between companies and workers than is the case anywhere in the West. Japanese workers, except in the most unusual situations, can normally rely on employment with the same company for life.

Comparisons with such an alien way of life are not relevant to North America. What has happened in the various countries of Europe, however, is well worth discussing, because of the similarity in political and economic systems on both sides of the Atlantic. Space limitations preclude a country-by-country analysis, but several general observations can be made.

First, some concept of the worker's right to his job is implicit in the legislation of most European countries.

Second, companies contemplating layoffs in most countries have to consult with the union and/or works council well in advance, and must notify an appropriate government department or agency. This is true for both individual and group dismissals.

Third, most countries require companies to justify layoffs in terms of the effect on the workers and their families, on the community, and on the economy, as well as on business efficiency.

Fourth, most countries provide machinery for investigation, conciliation and appeals in job terminations.

Fifth, at least a few countries allow workers time off with pay during their period of notice to find other work.

Sixth, most countries compel companies to give the maximum advance notice of layoffs, and insist that layoffs be effected in a manner that minimizes the impact on the local labour market.

Seventh, when layoffs are deemed justified, most countries compel employers to give affected workers substantially more generous severance pay than is customary in Canada.

McCarthy's report emphasized that, while all these developments have greatly weakened the formerly unlimited right of employers to lay off at will, any company that can prove that its operations would be impaired if it could not reduce its work force is allowed to do so — but only after joining with the state to do everything possible to alleviate the effects on the laid-off employees.

"This much we can say with confidence — that modern industrialized societies have mostly rejected the social value that the employer has no obligation to the worker to be deprived of his

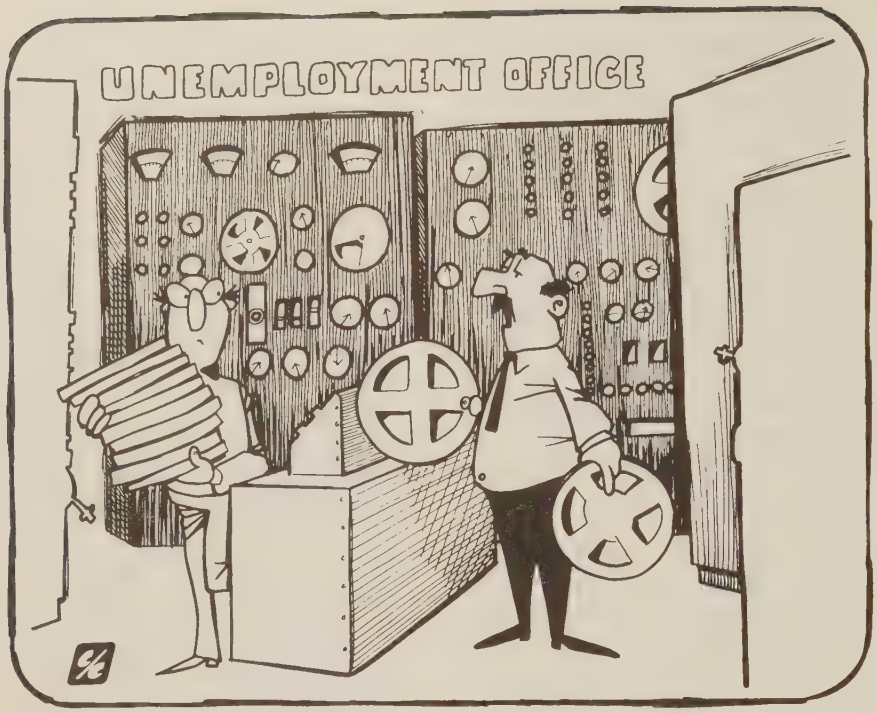
The Canadian employer is still under no legal or even moral constraint to consider the well-being of his employees when reducing his labour force

means of livelihood," McCarthy concluded. "The contrary is true. Countries are certainly at different stages of the process...but they seem, nevertheless, to be travelling toward a common goal — job security, and extended consideration and help by employers when job termination is unavoidable."

The United States, as noted earlier, continues to resist the trend in Europe. The free enterprise creed remains strong there, and the employer's right to cut staff is restricted only to the extent that collective agreements covering unionized workers compel him to give advance notice and to lay off the most junior employees first. Considering that three out of four American workers remain unorganized, and that most agreements don't even require prior notice of layoffs, the restriction on U.S. employers' right to hire and fire is minimal. There is no legislation to curb that right, nor is there any law requiring employers to give laid-off workers severance pay.

The degree of job protection and job-loss compensation accorded to Canadian workers is slightly better than that prevailing in the U.S., but falls far short of the European average. This country's geographical, economic and labour links with the U.S. have strongly influenced our industrial relations system and the attitude of our governments toward the provision of minimum work and wage standards.

Prior to the 1970s, few Canadian governments questioned the right



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of companies to lay off at will. Layoffs were seen, at most, as an unfortunate byproduct of the efficient operation of the free enterprise system, and the problem of job loss as the personal misfortune of those who became its victims. It was felt that, as long as government provided unemployment insurance and some retraining and relocation help, that was as much state intervention as was required. Job security as such was left to the collective bargaining process; but, as in the U.S., the most our unions could do was obtain some advance notice of layoffs, bargain for supplementary unemployment benefits, grieve against arbitrary or unfair dismissals, and give senior employees preference over junior ones in job retention and "bumping" rights.

It was only within the last decade that a few provinces inserted clauses in their labour codes covering collective dismissals, and then mainly to require minimum periods of notice. It wasn't until 1971 that the federal government added legislative provisions for notice of individual and mass dismissals, and for minimum levels of severance pay.

A reversal of approach from cure to prevention is urgently needed. If the various European preventive measures had been adopted by Canada, our unemployment rate would be lower.

These developments, while significant, still leave Canada more within the American conceptual orbit than that of the Europeans. For the Canadian employer is still under no legal or even moral constraint to consider the well-being of his employees when reducing his labour force. So long as he gives the stipulated notice and dispenses very meagre severance pay, he remains free to lay off as many workers as he wants, as often as he wants. The doctrines of corporate social responsibility or a worker's job rights remain excluded from our legislation.

Prof. Fred Caloren of the University of Ottawa did an in-depth study of layoffs, shutdowns and closures in Ontario several years ago, and found that over a period of 18 months in 1971-72, 97,000 workers in that provice were laid off. And that was in a time of comparative economic prosperity. Had his study taken place more recently, it would no doubt have found the number of layoffs in Ontario to be much higher.

The only legislative "protection" accorded workers in Ontario is that the province's Employment Standards Act requires advance notice to be given when 50 or more employees — or 10 per cent of a firm's work force of 500 or more — are to be laid off within a four-week period. It is easy for an employer to evade this regulation by laying off fewer than 50 workers at a time, or spreading the layoffs over more than four weeks.

Caloren, in fact, noted that "all too often, the (management) practice was designed to breach these constraints by the manipulation of numbers...so that by a technical observance of the regulations mass layoffs were in fact effected without the costly inconvenience of advance notice.... Such layoffs were obviously conducted with a view of depriving workers of their rights under the law."

In a section of his report dealing with the stated reasons for layoffs, Caloren is skeptical of some managerial excuses. One in five layoffs, for instance, were attributed to "seasonal" fluctuations. But

"careful scrutiny revealed that work interruptions of this type, said to be seasonal, do not lie so much within the dictates of natural forces as within the determining power of convenience and advantage — the employers' advantage."

Other reasons given by business officials for layoffs included government measures (such as pollution abatement standards), marketing difficulties, increased competition, high inventories, loss of client or contract, and failure of a parts supplier.

About 14,000 of the Ontario layoffs studied by Caloren were blamed by management on labour disputes. References were made to "crippling strikes," and "impossible wage demands." But Caloren found that, "in a significant and

Contrary to popular belief, our unemployment insurance plan is not the best in the world. In some ways...ours is the worst

disturbing number of cases, employers used their prerogative to dispose of workers...to prevent union organizing, to get rid of unionized workers, to cow workers into minimum contract settlements, to bring influence on government and 'keep workers in line.' Such practice surely demands the closest scrutiny."

Possible mismanagement was cited in only 5 per cent of the layoffs, which Caloren dryly described as "no doubt an understatement of the facts."

He was sharply critical of the climate of public opinion that apparently accepts the employers' arbitrary layoff powers: "The evidence is that worker layoffs as a mode of rationalization are conducted in the sole and limited

The commission calculated that a staggering 34.9 per cent of Newfoundland's labour force was unable to find a job

interest of the corporation. Employment reductions are a self-serving act of management carried out virtually without hindrance from the interests of those who stand to be damaged."

He urged that governments in Canada concentrate on trying to prevent layoffs, rather than "mopping up afterwards, at enormous cost to the victims and society."

In Caloren's view, three basic measures are called for: (1) ensure that companies' production goals are commensurate with society's needs; (2) ensure that companies' goals are compatible with the needs and interests of employees; and (3) ensure that workers and the community have a voice in determining corporate goals and behaviour.

Noting that such policies "are not unknown in other industrialized nations," Caloren said that they are essential if prevention of layoffs is to take the place of inadequate and costly palliatives.

A reversal of approach from "cure" to "prevention" is all the more urgently needed in Canada, now that the numbers of unemployed have doubled in the years since the Caloren study. In most of the European countries, the unemployment rate is still below 5 per cent, which is considered a major crisis, and which earlier this year sparked a day of mass protest strikes throughout the continent. Perhaps, if the various European "preventive" measures had been adopted by Canada, our unemployment rate, too, would now be considerably lower.

Instead of trying to grapple with the causes of unemployment, the tendency in Canada has been to castigate the unemployed as lazy and shiftless, and to curtail their already inadequate income support benefits. Contrary to popular belief, our unemployment insurance plan is not among the best in the world. In some ways — particularly in the length of the waiting period and in the cost of premiums — ours is the worst. And the amendments to the plan enacted last winter, increasing the qualifying period, have had the effect of denying benefits to many thousands of workers who are genuinely in need of them.

The People's Commission on Unemployment in Newfoundland, in its report issued last June, documented some of the hardships inflicted on jobless Newfoundlanders by the latest UIC restrictions. It estimated that at least 10,000 would-be workers have been disqualified by the requirement that they find 10 weeks' work instead of eight before becoming eligible for unemployment insurance.

"Precisely at the time when clearly there are no jobs," the commission stated, "when unemployment insurance or welfare do not provide a decent standard of living, the government has forced the unemployed and the poor to shoulder greater economic hardship."

The Commission, headed by Rev. Desmond McGrath, a Roman Catholic priest, strongly attacked the official Statistics Canada unemployment figures for Newfoundland. In a detailed statistical analysis of StatsCan's methodology, it produced data indicating that the "official" unemployment rate for Newfoundland last March

— 16.5 per cent — was less than half the real unemployment rate. The commission calculated that a staggering 34.9 per cent of the province's work force, or more than one worker out of every three — was unable to find a job.

While the unemployment situation in Newfoundland, regardless of the actual numbers involved, is more serious that it has been in other parts of the country, the People's Commission's indictment of the misery, poverty, family breakdown, and social dislocation that accompany unemployment applies to every province.

A brief to the commission from the St. John's Oxfam Committee described the present economic system in terms that have national relevance: "Jobs are dependent on business — where it decides to locate and whether it will invest more heavily in machinery than manpower, or vice versa. And business decisions are geared to one aim — profits. It is not the primary concern of business to create employment; its loyalties

"AND FOR WHAT REASON DID YOU LEAVE YOUR LAST EMPLOYMENT?"

"Young people are brutally moulded into consumers by a multi-million dollar advertising industry, and then told they are not needed as workers"

are to its investors, its shareholders."

The commission itself referred to "the profound feeling of people in all walks of life that, somehow, the whole system around us is not working the way we want it to.... While some of us enjoy unprecedented affluence, others are denied all but the meanest levels of living. Working people are arbitrarily divided into 'haves' and 'have-nots' by luck and geography. Young people are brutally moulded into consumers by a multi-million-dollar advertising industry, and then told they are not needed as workers."

In concluding its report, the commission declared that "the economy should not be the master of our destiny, but rather should serve the goals and aspirations of us all.... The challenge of our future is to shape political, social and economic structures that will better meet the needs of all our people."

In a way, that is also the challenge facing the Commission of Inquiry on Layoffs. No one expects it to actually produce a blueprint for such a momentous change. It has neither the mandate nor the resources to do so. But neither is it so limited by its terms of reference that it must slavishly accept the economic status quo, and consider only possible ways of mitigating its adverse effects on laid-off workers.

The issue of layoffs exposes the dark underside of our economic system. It is a symptom of the malaise that spreads throughout a society that enshrines the profit motive without making it subordinate to the overall public good.

The dimensions of the problem have been graphically revealed by the McCarthy and Caloren studies and the report of the People's Commission on Unemployment in Newfoundland. The corrective steps taken by other countries to provide workers with greater job protection are also readily apparent. It remains for the federal commission of inquiry to apply these lessons and precedents to the Canadian economy, to formulate recommendations for preventing layoffs, and, in cases where layoffs are unavoidable, to improve existing methods of cushioning the impact on the unemployed.

This will call for courage, imagination, and innovative thinking, all qualities that the inquiry commissioners possess, both individually and collectively. But it remains to be seen whether they are prepared to utilize them in carrying out their study and writing their report.

The Canadian labour movement is hoping that the commission's report will not be confined to the recommendation of more palliatives; that it will instead be a probing and challenging inquiry that proposes a more equal balance between the right of an employer to operate efficiently and the right of a worker to hold a job. What is needed is not another blanket endorsement of management's unilateral right to hire and fire, but a long overdue prod toward the more civilized European system. lg

Ed Finn, director of information for the Canadian Brotherhood of Railway, Transport and General Workers, is a Toronto Star *columnist and regular contributor to* The Labour Gazette.

The productivity problem

by Susan Goldenberg

By 1985, computers will be running both the assembly line and the executive suite in many Canadian factories as manufacturers seek to improve their productivity.

For factory workers, productivity improvement programs will have repercussions that are both good and bad. On the plus side, employees will get a better working environment, including such improvements as more comfortable work stations, as management seeks to boost productivity by making staff happy. But, on the negative side, there will likely be fewer people employed in these amenity-filled factories than there are today.

With robot arms, run by computers, operating assembly lines and computers controlling inventory, purchasing, and layout, there will be less work for human beings. With unemployment already at record highs, this prospect of a more automated future is a gloomy one for plant workers.

On the other hand, manufacturers believe these changes are essential for their survival and argue that by allowing them to stay in business, productivity improvement programs will maintain jobs.

More effective and productive plant management is today's leading priority among manufacturers as they struggle to improve both market share and profit margins in a sluggish economy. One reason for their productivity drive is that successful programs may produce savings of up to 30 per cent. Also of concern is Canada's poor productivity performance as compared with other nations, which makes Canadian manufacturers less competitive worldwide.

According to Statistics Canada, output per man-hour in manufacturing increased 3 per cent in 1976. While this was better than in 1974 and 1975, it was lower than the average growth rate of 4.1 per cent over the past 30 years. Furthermore, the U.S. pace was double Canada's, with its overall output increasing by 6.5 per cent.

With robot arms, run by computers, operating assembly lines and computers controlling inventory, purchasing, and layout, there will be less work for human beings

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And Canada measures up badly internationally, too. According to a recent U.S. Bureau of Labor Statistics study of 1976 productivity growth in 12 western industrial nations, Canada ranked second to last in gains. The highest rate — 12.9 per cent — was achieved in Japan and the lowest — 0.3 per cent — was in Sweden.

In addition, growth in the Canadian labour force is no longer exceeding population growth. Thus, the extent of future economic growth will be more dependent on productivity increases. And if productivity performance over the next decade is no higher than in the past, real growth will be about 1 per cent a year smaller than over the past two decades.

In view of this worrisome outlook, it is not surprising that productivity is Canadian manufacturers' top priority. Many, however, find it difficult to pinpoint whether their problem lies in outdated machinery, poor layout or lack of employee motivation.

But management consultants warn that manufacturers must consider all these areas or they will wind up erasing the symptoms but not the problem itself. "Most companies still think of productivity in a sectionalized way and, therefore, do little about the overall problem," says Robert Moore, vice-president, Stevenson & Kellogg Ltd. of Toronto, a leading management consulting firm.

Computer-run factories are inevitable, management consultants say, because the cost of computers is constantly falling and because they allow much swifter decisions about how to improve productivity.

Also, because the modernization will be in systems rather than plant structure, manufacturers will not face the huge expense of replacing plants and manufacturing processes.

This, in fact, is the big selling point of computer systems. Even now a computer can cost as little as $20,000, so small manufacturers already can afford them. And based on past experience, with computer prices now only one-seventh of what they were 15 years ago, manufacturers can count on even cheaper prices in the future.

"Manufacturers can expect a payback within two years of purchase as well as a minimum 10 per cent return on investment," says Roy Hedberg, systems engineering manager for marketing support data, IBM Canada Ltd.

The biggest change in factories over the next decade will likely be the widespread use of robot arms, manipulated by computers, to do assembly line work.

Computer-directed steel robots, priced at $4,000 to $100,000 depending on sophistication, are already on car assembly lines, fitting parts together and riveting screws and bolts. Now, two United States scientists have developed robot arms which can be programmed to perform several tasks in sequence or a new task, as well as to shift position. "The robots are not faster than human labour," says James Nevins, one of the two scientists who developed the system at Charles Stark Draper Laboratory in Cambridge, Mass. "But because they never make errors, they can reduce downtime by 15 per cent."

Consultants rank training and performance targets ahead of incentive bonuses to boost output

While no price tag has been set yet, Nevins says these sophisticated robots would not necessarily be costlier than those now on the market.

One of the biggest areas where the computer has already had a major impact is in the conveying system. Here computers are used to monitor where something is going wrong, where materials are in the system, or what supplies replacing, as well as to direct the equipment.

Such systems can cost anything from $25,000 to several million dollars, depending on their amount of programming and the size of factories or warehouses. "But these systems can provide a payback within two years and the increased productivity will lower costs and release people from repetitive jobs," says R.B. Rumsey, vice-president, Jervis B. Webb Co. of Canada Ltd. of Hamilton, Ont. Webb is a major supplier of conveyor belts and computer-directed conveying systems.

In addition to production line work in factories of the future, computer systems will also be controlling the atmosphere. By monitoring energy use, computers can reduce the amount of power consumed at non-peak times. "Such systems can cut energy waste by up to 30 per cent," says John McKenna, market manager, building management systems, Honeywell Ltd., a Toronto-based computer manufacturer.

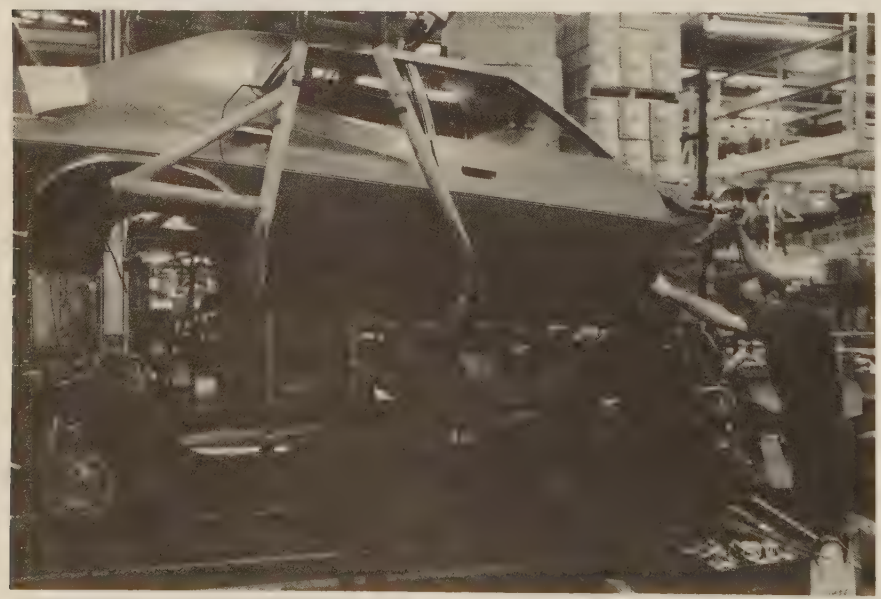
The computer allows better energy management in several ways. First, it turns off heat or air conditioning at non-peak times.

Second, by keeping data on daily and monthly consumption trends, the computer also allows management to decide if it needs to take action, such as greater insulation, to reduce energy consumption.

While the cost of computers is falling, the cost of plant machinery is rising and, thus, management consultants say the hardest productivity change for manufacturers to accept is the purchase of new equipment. "Many companies keep getting along with outdated equipment and don't appreciate the cost of this through breakdowns and the way these slow employees and affect work quality," says Stevenson & Kellogg's Robert Moore.

Nevertheless, manufacturers take a hard-nosed approach toward capital expenditures, with many calling for a 30 per cent return on investment.

But while computers and faster production machinery are crucial for increased productivity, workers'



The biggest change will likely be the widespread use of robot arms

"Some of these modern machines can do anything."

performance is equally important. Consultants rank training and performance targets ahead of incentive bonuses to boost output. They are not alone in this attitude.

Labour unions are opposed to fixed productivity increases as they make workers dependent on chance. "If productivity is decreased to match decreased market demand, workers lose out if their increase is tied to productivity," says Borek Zofka, of the Canadian Labour Congress' research department.

The rule of thumb is that incentive bonuses cost 1 per cent more of salary for every 1 per cent more output. But management consultants encourage companies to avoid incentives because they are virtually impossible to remove.

However, sometimes wage incentives are the perfect solution. A case in point is Thomas Built Buses of Canada Ltd., a Woodstock, Ont. school bus builder with $10 million in annual sales.

A dual incentive system of bonuses for extra output enables Thomas to raise production without increasing staff in peak periods, while time off in slack periods reduces overhead costs of keeping the plant open. Together, the incentives have increased output by 16 per cent according to Vice-President Roger Chilton. For a company whose total wages are close to 10 per cent of revenue, that increase in productivity makes a big difference to Thomas' profit.

"Work stations now are designed for standard-size persons, but many persons just aren't standard size"

Companies that are reluctant to get locked into wage incentives often use the alternative of financial rewards for employee suggestions that are implemented. For example, Steel Co. of Canada Ltd., Canada's largest steel producer, gives maximum rewards of $5,000 for ideas that are used. Generally speaking, Stelco saves $3 to $4 for every dollar paid out in rewards.

In addition to incentives and bonuses, worker productivity can also be improved by providing a more pleasant working environment.

Improving working conditions can be inexpensive, involving the simple re-arrangement of furniture. "Work station and tool racks should be adjustable to positions that are comfortable for workers," says Ian Hill, manager, industrial engineering projects, Giffels Associates Ltd., a Toronto consulting engineering firm. "Work stations now are designed for standard-size persons, but many persons just aren't standard size."

The working environment also is likely to improve because new occupational health standards, now in the pipeline at the federal and provincial level, will require improved conditions.

At the federal level, the new Canadian Centre for Occupational Health and Safety, funded by the federal government, will evaluate trends in working place hazards and establish a scientific and technical information system about occupational health.

Improving equipment, working conditions, and workers' performance form only part of the productivity improvement equation. Equally important is upgrading methods of inventory control, purchasing, and recycling materials.

For example, Northern Telecom Ltd. of Montreal, whose productivity improvement rate of 12 per cent is four times the national average, centralized its purchasing operations for its 25 Canadian plants in 1972. The company estimates total savings in this area since then are almost $50 million.

Northern Telecom has also spent $1 million on equipment to recycle scrap copper. Resultant savings last year alone were $11 million and the company expects to double this amount by 1973.

Although improving productivity is of widespread concern among manufacturers, most have pursued individual programs — with one major exception. Canada's 87 aerospace manufacturers are the first industry to organize an industry-wide productivity improvement program, with the primary purpose of examining production methods and management controls.

Air Industries Association of Canada President David Mundy says the program, which was started when the industry was on the upswing after a three-year slump, is aimed at keeping its bullish pace.

"We want to reinforce our success, especially since the Canadian business environment is difficult and the worldwide technology market is becoming more competitive," he says.

Canada's 87 aerospace manufacturers are the first industry to organize an industry-wide productivity improvement program...

Manufacturers seeking to improve productivity are increasingly turning for help to management consultants and industrial engineers, both of whom are skilled in measuring worker output.

Management consultants charge $200 to $600 a day for each consultant, and projects can take as long as two years. In the next few years it will be a seller's market for industrial engineers because there are only 545 industrial engineering students at Canadian universities out of a total engineering enrolment of 26,500. Starting industrial engineers can earn $15,280, up 8 per cent over a year ago. Experienced ones can make $40,000.

Canada measures up badly internationally

Federal financial assistance is available to companies wanting consulting services. The Enterprise Development Program branch of the Department of Industry, Trade and Commerce provides up to 50 per cent of the cost of productivity improvement studies, on the condition that most of the work be done by experienced outside consultants.

While there is no limitation on the amount of money, the normal ceiling is $50,000.

Free industrial engineering advice is available from the technical information service division of the National Research Council. But because it only has a staff of 40, spread between Ottawa and 16 field offices, TIS can only handle about 800 cases yearly. "A recent review of 107 cases handled since 1972 showed that these companies subsequently increased sales by $18 million, 223 jobs were created, and the federal government gained $8 million in increased sales taxes," says TIS chief Rene Paquin.

TIS also offers a $100, 50-issue-a year subscription to articles that match subscribers' interests, and sends out general interest articles to 60,000 manufacturers at a charge of $2.20 each.

With the abundance of help available to them from the government, management consultants, and new computer technology, it is inevitable that the stress on productivity among Canadian manufacturers will accelerate in the coming years. But while the factory of the future will be more productive, its implications, of less available work for people, are immense and frightening. lg

Susan Goldenberg is a staff writer with The Financial Times *of Canada*

Personnel Association of Toronto Conference

Can industrial relations cope with the challenges of the 1980s?

Escalated labour-management confrontation and massive government intervention will mark the 1980s unless Canadian companies and unions adopt new industrial relations attitudes free from "adversarism" and inertia.

This is not the pessimistic view of some doomsday economist. It was the clear consensus that emerged at the Spring Conference of the Personnel Association of Toronto (PAT), regarded as the largest annual gathering of personnel and industrial relations people in North America.

Such valuable concepts as tripartism have fallen victim to the spirit of adversarism in Canada, the conference was told, while at the same time inertia is making Canadians trail behind Europe and Japan in the more sophisticated IR concepts like employee participation.

To make things worse, grievance arbitration is losing its viability as an instrument of industrial justice and stability — at a time when a large number of collective agreements are up for negotiations within the next year or so. Regardless of the technical reasons given for the increasing inadequacies of the arbitration mechanism, it remains true that the gap between labour and management — a gap that industrial relations has failed to bridge — will be responsible for more work stoppages, further undermining the prospects of the Canadian economy.

Jean-Luc Pepin, co-chairman of the Task Force on Canadian Unity, appropriately launched the conference by dwelling on "the unbelievable contradictions and ambivalence" which his group had found all over Canada.

"There is a tremendous diversity of views on almost all issues...on any issue we are divided in so many ways...confusion in Canada is incredible," he said.

Pepin spoke about negativism and the atmosphere of confrontation and adversarism that exist in Canada today, blaming these for the failure of tripartism which was aimed at achieving a better, more civilized system of relationships between labour, management and government.

"An important step toward cooperation is changing the traditional view of the role of the worker to give him a greater stake in his company..."

He said Canadians tend to look on life as a tremendous hockey game where there must a loser and a winner, but "this is becoming so excessive that the country's very fabric is endangered."

"Unless there is a more friendly, constructive approach we all stand to lose tremendously," he warned. At the present time there appears to be no great eagerness to compromise, "yet if you want to keep the country together it will have to come."

In the meantime, the implications of continuing uncertainty are exacting their toll on business and industry, with companies moving and investments postponed. The situation is so complex that no simple formula will be sufficient, but "only a great diversity of measures," Pepin said, adding that, "We must be much more sophisticated than in the past."

He emphasized that personnel and IR officers have a special role to play through their unique position between employer and employee. Pepin suggested that each company is like a mini-confederation where such concepts as power-sharing, interdependence, invididualism and totality must be reconciled.

The atmosphere of adversarism was also blamed for making Canada lag in employee participation experiments, which have been applied with remarkable success in Europe and Japan and, in isolated cases, in Canada and the U.S.

Charles Connaghan, vice-president of administrative services, University of British Columbia, said that management in Canada commonly regards employee participation as a direct threat to traditional managerial rights and "indeed fears that with accommodation on this point a trade union State would be a matter of time."

CAMROSE LUTHERAN COLLEGE

Management further maintains that employee participation would impair the quality of decisions and slow down the decision-making process but, in Connaghan's view, any delay is more than offset by the ultimate production bonanza.

Unions, too, have misgivings and are not exactly ecstatic about the prospect of employee participation. They argue that having a couple of union representatives on 12-member company boards amounts to no more than token recognition, while in effect undermining union power to organize workers.

Canadian unions also say they have other priorities and that industrial democracy is not a main concern. Connaghan suggested, however, that in the European Community the threat of unemployment, rather than industrial democracy per se, is the primary union motive for employee participation bids. Without adopting a similar stance, Canadian unions can suffer serious in-group tensions and conflicts of interest

"...arbitration is no longer the fast, cheap, informal process it was initially intended to be."

with the expected influx of younger workers in the labour force.

In any event employee participation is imminent, Connaghan said, especially with the growing trend in this direction in the United States, which usually sets a pattern for Canada. He predicted that collective bargaining will spawn new methods of employee participation and that the government and Crown corporations will be setting precedents and encouraging the private sector to increase effective participation. He expressed conviction that only joint board committees, and eventually policy-level representation for labour, can convince workers that they have a stake in their company and avert unreasonable demands.

Connaghan said the government's right to intervene is an accepted fact of life in Canada and will continue, even to the point of interfering in "normal employer-employee relations...much more than in the U.S."

The government approach is to be applauded in many cases, including the development of a national safety code and the desire to restructure collective bargaining, he said. But to avoid excessive government intervention, collective bargaining must be made more effective and "the attitudes of all to industrial relations must be brought in harmony."

"Mr. Pepin is quite right. What future do we have without co-operation?" Connaghan said. An important step toward such cooperation is changing the traditional view of the role of the worker to give him a greater stake in his company, he asserted.

The more progressive theories of horizontal organization, elimination of status symbols and the introduction of labour ownership were championed by internationally known business economist and management consultant Gunter Klaus.

Looking at possible trends for "management by motivation" in the 1980s, Klaus saw a decline in the role of status symbols as incentives, met on the other side of the coin by the growing importance of participation, involvement, security, sharing of results and perhaps ownership. The more worker ownership the less strikes, Klaus said, but unions perhaps fear this would be the kiss of death for them, while many employers would have a heart attack if unions were introduced on company boards.

It is up to personnel and industrial relations people to reconcile these

"I suppose as chief beneficiary, he figures he has a right to be here."

viewpoints through innovation and ingenuity so that the challenges of 1984 — the theme of the two-day conference — can be successfully met, he said. Balance sheets now show employees only under "costs," and it is up to personnel, "the people's people," to correct this situation.

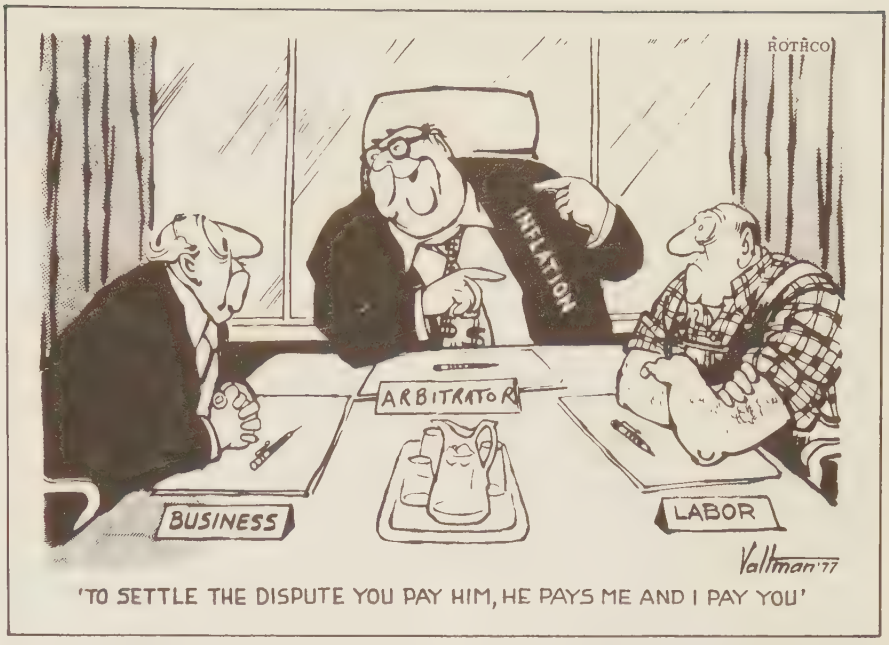
"Accountants must have invented the neutron bomb, destroying people and keeping assets," he quipped. "The balance sheet is absolutely correct but totally useless...it is up to you to return goodness to business."

Klaus cited the example of Japanese industry's emphasis on people and horizontal organization. At Mitsubishi all 450,000 workers must agree to new company plants. "If they do not agree the company tries to sell — not tell — the idea to its employees. But once they agree, watch out."

The new role of personnel managers as diagnosticians and policy formulators — all necessary functions for dealing with the productivity crisis and increased labour-management tensions — was discussed by Tupper Cawsey, associate professor of business and economics at Wilfred Laurier University.

Cawsey said personnel officers are no longer the record-keepers, bureaucrats or scapegoats. They have a dynamic role in changing the ideology of society from efficiency to effectiveness; in bringing about compatibility of organizational and individual objectives and in keeping pace with the shift in peoples' expectations from equality in opportunity to equality in results.

Cawsey also spoke about government intervention, which he described as "overwhelming and unprecedented" in Canada.



'TO SETTLE THE DISPUTE YOU PAY HIM, HE PAYS ME AND I PAY YOU'

Although, one specific area where the government may indeed do more is grievance arbitration arising from collective bargaining agreements especially since such arbitration is no longer the fast, cheap, informal process it was initially intended to be.

"Increasingly people look to government for solutions.... We are not happy with this but there is nothing we can do about it..."

The growing uneasiness about the future of grievance arbitration is evidenced in the recent appointment of an Ontario Commission of Inquiry to study the system, and make recommendations for change. Some views have already been expressed that the entire system should be discarded and replaced by some form of public institution.

Donald Munroe, vice-chairman of British Columbia's Labour Relations Board, said the three-decade-old grievance arbitration concept had been highly effective at first, with hearings quickly set up and completed in one day. But in the last several years a myriad of legal and practical problems have surfaced, eroding the effectiveness of arbitration as a peaceful alternative to mid-contract work stoppages.

Firstly, labour laws in nearly all Canadian provinces stipulate that differences over the interpretation or application of collective agreements must be submitted to a third party for a final and binding decision. But in most instances that is all that is said on the subject. As a result of this silence, cumbersome rules applicable in commercial arbitration have been clamped on labour arbitration even though there are vast differences in nature between the two.

Arbitration is also becoming costly and time-consuming. In Ontario, the average time between a grievance arising and being heard is around five months, and the financial drain, both in terms of direct cost and manpower time, is horrendous for both parties. This is partly the fault of the unimaginative approach of the parties

themselves and partly that of the arbitrators, who are turning arbitration into a new profession, Munroe said.

The result of these costs and delays is that many average employees with legitimate grievances against management are denied an impartial ruling. Employers may be happy about winning such grievances by default, but they face a greater risk: the shutdown of their operations through a wildcat strike by employees who have lost confidence in the peaceful alternative promised them by the collective bargaining statute.

"New management techniques and approaches will be required to enhance motivation, end confrontation and provide a sense of identity with corporate goals..."

When the government acted in British Columbia, Munroe said, the industrial relations community was ready for such action. Wildcat strikes were becoming a daily part of life and were affecting not only the immediate parties but also the general public.

The government undertook a major legislative overhaul in 1973, essentially to provide for appointment of a Labour Relations Board officer — at the request of either party — to assist in settling a grievance prior to the appointment of an arbitration board. If settlement proves elusive, the officer reports in detail to the Board, which on the merit of each case, either issues a final and binding decision itself or refers the matter to an arbitration board.

In practice the system has fared very well. The Board receives approximately 600 applications a year, of which nearly two thirds are disposed of by voluntary settlement at the officer stage. The Labour Code allows parties to a collective agreement to opt out in writing from application of this procedure, but where a dispute is a source of industrial unrest, or is leading to a work stoppage, the government may intervene on its own. "This is being employed with increasing frequency and with good results," Munroe said.

"companies will have to deal with incredibly complex political, economic and social environments...the people challenges are the most crucial to face"

"In the final analysis", he concluded, decisions about whether the grievance arbitration system will be emasculated, or simply finely tuned, are in the hands of the respective parties. They simply must provide more attention to the current problems. If they accept this responsibility and respond in realistic ways...they will likely be allowed to retain the larger benefits of an essentially private mechanism. If they do not, the public interest may be seen to override these benefits; and their inaction will result in massive state intervention."

The ever-present spectre of government intervention was acknowledged by H. Brent Scott, president and chief executive officer, Syncrude Canada Ltd. "Increasingly people look to government for solutions.... We are not happy with this, but there is nothing we can do about it," he said.

The second major feature of the 80s — after government intervention — will be the "people's challenge," Scott said.

New management techniques and approaches will be required to enhance motivation, end confrontation and provide a sense of identity with corporate goals, he emphasized.

"Technology and money can be found, but we must attract and retain highly motivated people or we will fail. Productive, satisfied people are the key to our future," he said.

"We believe the people challenges are the most crucial we face," Scott added, mentioning that Syncrude's investment in each employee will be one million dollars and that the average plant worker will be in a position to make mistakes as costly as any manager.

"The 80s will be intensely competitive for labour," Scott said. "We shall have to develop new and unprecedented skills and attract thousands of such highly skilled people — highly in demand elsewhere — and forge them into a team."

Syncrude is in many ways a model super project of the 80s, with a $2-billion investment in Alberta. Not yet fully on the road, its problems and plans are those of the next decade. "We have relatively more freedom to innovate...to be a human resource laboratory," Scott said.

With the 1980s rapidly looming on the horizon many exciting but very demanding challenges lie ahead. Companies will have to deal with incredibly complex political, economic and social environments. They cannot hope to do so successfully without dynamic industrial relations techniques oriented first and foremost toward people, Scott concluded. lg

— Bill Megalli

Employment of the handicapped in the federal public service

by Paulette Bourgeois

Following two years of pilot projects, studies and discussions with handicapped persons, the government has reached the uncomfortable conclusion that it not only discriminates against the handicapped but actually hinders their employment.

A report commissioned by the president of the Treasury Board, Robert Andras, on the *Employment of Physically and Mentally Handicapped People in the Federal Public Service,* noted that: "Handicapped workers do not receive reasonable opportunities to obtain jobs in the government."

But unlike other reports that collect dust on the back shelves, Andras has followed most of the recommendations made in the report and has launched a major federal government campaign to provide equal opportunity employment for the physically and mentally handicapped.

According to the report's authors, Virginia Miller and Helen Morton, the handicapped are eliminated from consideration for jobs at every step of the hiring process; they are prevented from even applying for jobs because of architectural barriers, and job opportunities for the handicapped are reduced and the costs of holding a job are increased by the lack of, or the high cost of technical aids and suitable transportation. But, perhaps the most disturbing aspect of the report is the recognition that ignorance and myths about the handicapped perpetuate discriminatory attitudes within society and the public service.

A staffing officer with the Public Service Commission in Toronto told the authors that, "the recruiting theme in the departments appears to be that they are just not willing to consider handicapped people for professional or semi-professional positions."

If the government were an equal-opportunity employer, approximately 4.5 per cent of all federal public servants would be individuals suffering from handicaps.

The authors speculate that many people still feel the handicapped are not good workers. Yet, the level of production, attendance records, turnover rates and the quality of work of physically handicapped workers have been rated the same as or better than those of "able-bodied" workers by 85 per cent of employers who responded to a Canadian Chamber of Commerce study in 1975. Handicapped workers' safety records are significantly better than average.

In order to eradicate myths and misunderstandings about the abilities of the handicapped, Andras announced that a vigorous information campaign will be launched within the federal Public Service.

But, as the report indicates, the problems facing the handicapped worker are more than discrimination. A survey by the Department of Public Works of all Canada Manpower Centres across Canada, indicated that half were inaccessible to the handicapped. Most government buildings do not provide ramps, wide doors or bathrooms geared for those in a wheelchair. In order to rectify the situation, the Department of Public Works will co-ordinate studies to evaluate how all government buildings can be adapted for the handicapped by 1983.

Even when job vacancies are announced, the handicapped are ignored. The announcement may be published in a newspaper which effectively eliminates blind applicants; notices are posted in public buildings which are not accessible to the workers confined to wheelchairs. Deaf people cannot receive information over the telephone.

"The delay involved in hearing about a vacancy, arranging assistance to enquire further and arranging assistance to make an application may be considerable and the closing date may arrive before an application is completed," wrote Miller and Morton.

The government's push for equal employment opportunities for the

handicapped has already begun with a review of its staffing policies to ensure that the handicapped aren't discouraged before they even begin.

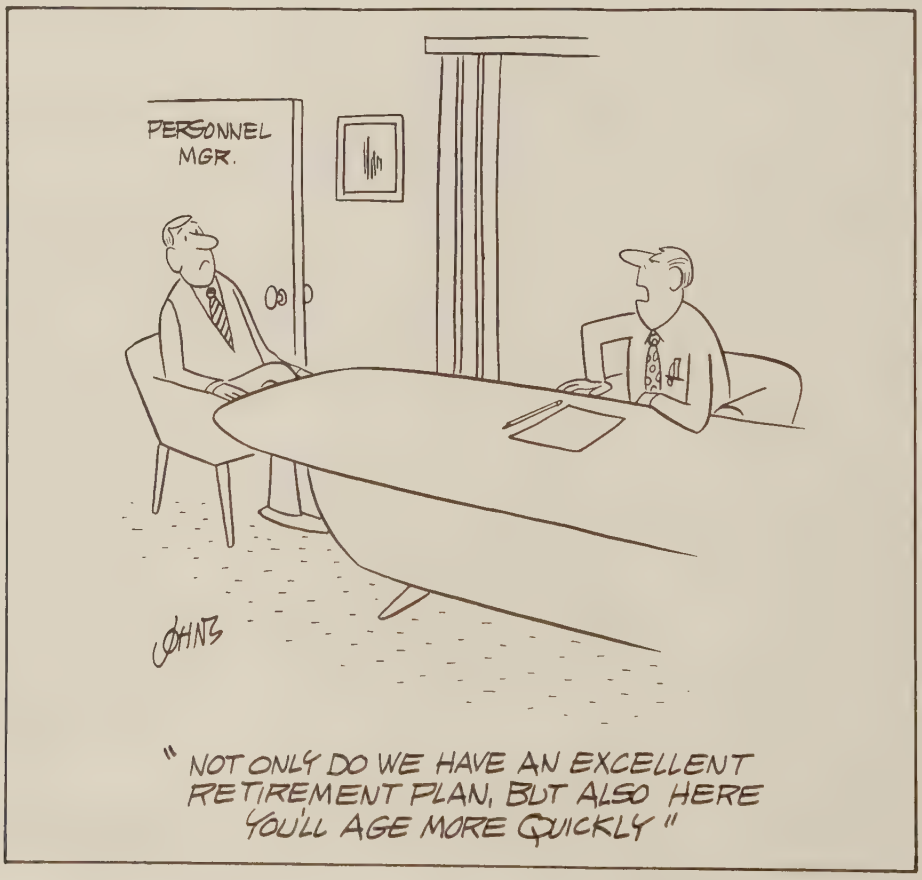
According to the report, many more handicapped people could be employed if they were provided with special aids. An opticon raises letters from regular print allowing the partially blind person to read without braille. But it costs about $5,000. A visual print-out attachment allows the deaf to read the telephone, but costs range from $700 to $1,500. The person confined to a wheelchair might require a small adjustment to the level of his desk. Although some equipment is covered by provincial grants, most isn't; and the report recommends the government fund more working aids for the handicapped.

Treasury Board President Robert Andras has launched a major campaign to provide equal opportunity employment for the handicapped

Although there are few statistics on the number of employable handicapped in Canada, the authors suggest that there are approximately 460,000 people. A survey of known handicapped employees in the National Capital Region compiled by Health and Welfare nurses in 1974 reported that 500 of 60,000, or less than 0.8 per cent of federal employees, were handicapped. If the government were an equal-opportunity employer, approximately 4.5 per cent of all federal public servants would be individuals suffering from handicaps.

In order to facilitate the affirmative action program, the government is establishing advisory groups to help departments devise and evaluate their progress. All departments must report to the Treasury Board.

Perhaps if government takes the lead, private business will follow. As the report notes: "Improving the handicapped person's employment opportunities is more than a humanitarian measure. Handicapped people are a valuable resource which is not being realized and, from a purely economic standpoint, efforts to integrate them into the work force are profitable in terms of getting them off the social assistance and unemployment insurance rolls and onto the tax lists." lg



A landmark decision on union discipline

by John Clarke

Should a union in a democracy have the right to compel an employer to fire a worker expelled from that union as a disciplinary measure?

That is the most difficult question for a democracy like Canada's in which trade unionism is not only permitted by law but is also recognized as an integral part of the industrial society. On its face it undermines individual freedom, which is also prized in a democracy. And it's one that even the unions shy away from if they can.

Such decisions as have been made on the issue have not dealt with it as a matter of principle and they've left the general legal question in a very fuzzy light. But the British Columbia Labour Relations Board, in what is being regarded as a landmark decision, has ruled clearly in favour of the union's right to discipline recalcitrant members right up to and including dismissal from their jobs.

The decision has also clearly set out, for the first time, the extent and limitations of union security clauses in labour contracts and the obligations of management when those clauses are infringed.

The case in point concerned an employee of the B.C. Hydro and Power Authority who refused to join in a strike strategy worked out by the Office and Technical Employees Union during a dispute in 1976.

When negotiations broke down, the union called for a strike vote, after advising its members that it would not favour a total strike for three reasons. It was afraid the B.C. government would send the workers back to their jobs with binding arbitration or that the government would bring in special legislation limiting picketing. The union was further afraid that a total strike would jeopardize the workers' right to strike in future because the government might legislate against strikes in Hydro as an essential operation.

The union plan was to indulge in partial strike action, including an overtime ban, work-to-job-description and rotating stoppages.

After receiving this information, the members voted 88 per cent for strike action. After the vote the OTEU worked out a rather sophisticated program for strike action.

The original plan was to organize the rotating strikes to cut services by 25 per cent, the result of which would be to cut productivity by 40 to 50 per cent. The negotiating committee would direct members when and where to stop work "at critical times."

But then the union discovered it might be able to achieve its objective "with a lesser financial commitment" from the members. It developed what it called a voluntary job action program under which its members would donate one day's pay every two weeks — that is, 10 per cent of their basic earnings — to a fund to pay workers going on selective strike 70 per cent of their normal pay.

The OTEU members therefore had the choice of going on a total strike or opting for the other program. About 20 of the 3,500 members opted for a total strike. All but a small number of the others opted for the voluntary selective strike action program. That small number refused to participate in either and the man in the case before the B.C. Labour Relations Board was one of them.

The union fined the man $25 a day for each day he refused to participate, or a total of $975. In addition it ordered him suspended from union membership for 30 days. He didn't pay the fine and, in accordance with the union security clause in the contract with Hydro, it expelled the man from the union and asked the corporation to fire him. Hydro resisted the union's request and went to the board for clarification of its responsibility.

The union security clause in the contract requires all employees in its jurisdiction to be members of the union "as a condition of continued employment."

Hydro argued that the loss of the man's job was far too Draconian a result to flow from the union security clause. It claimed that if his dismissal was intended to be the result, the clause should have come right out and said so.

It further argued that union power based on fear of discipline is neither a credit to labour in general nor the OTEU in particular and that Canadians and Canadian workers deserve better.

The board rejected these points and confirmed that the clause really did give the OTEU the right

to ask for dismissal. It said: "In effect (Hydro's) counsel contends that the board should approve of the man's right to dissent, that it should not deprive the employer of a valued employee and that the union does not really need this form of sanction against its members.

"This board is perfectly aware that the situation we have encountered here does evoke strong emotions in other quarters as well. There have been highly-pitched, political controversies about the operation of a union security provision. But the place where these ultimate value judgments must be aired is in the legislature of the province.

"The system of free collective bargaining, long-enshrined in B.C. statute law, does permit the union and the employer to negotiate a union shop in their contract. If they have agreed to such a clause, then it is up to their arbitrator (or the labour board) to interpret and apply the clause as they wrote it, not to deprive the union of the benefit of the bargain it made by an artificial construction of the words the parties have used."

It was also argued before the board that the scheme of selective strike action and levy of 10 per cent of regular pay to what amounted to a strike fund was in contravention of the OTEU's international constitution. It was claimed that the scheme was really a disguised form of "special assessment" of the membership, designed to produce the strike fund with which the union could finance the pressure it wanted to put on the Hydro. And, according to the union's constitution, any such assessment has to be approved by a special vote of the local membership and then by the international president.

The labour relations board rejected that argument on the ground that the union's action plan, including the 10 per cent levy, was voluntary rather than compulsory. A special vote was necessary only when an assessment was to be compulsory and, the board, said, there was no suggestion that the union attempted to pressure any of the members into paying the levy.

It said that, since the union had received a massive strike vote, it had the right to call out on strike those who didn't want to participate in the voluntary job action program. But the man involved did not go on strike, after having also refused to join the voluntary program.

The board went on: "In turn, that produced the charge that he was at work for the Hydro, drawing pay, when he should have been out on strike pursuant to the directive of the (union's) executive board. And it would be belaboring the obvious for this board to say that if there is one central example of the legitimate exercise of disciplinary power by a trade union, it is the case of a union member who continues working for the employer when the union has called a lawful strike...."

"The facts of this case raise in starkest fashion the dilemma of union discipline and union security. In accordance with a massive strike vote, the local executive embarked on a sophisticated program of limited strike action against the Hydro. This was a perfectly legal tactic designed to break the impasse in contract negotiations between the union and Hydro.

"But a tiny group of employees refused to participate in the final, key phase of that program. For that failure (the man) was charged and fined by the union in conformity with the provisions of the union constitution. He chose to toally ignore the union discipline.

"As a result, he was expelled from the union, again in perfect compliance with constitutional procedures. That expulsion in turn triggered the operation of the union security provision in the collective agreement with Hydro. In effect, Hydro has agreed to dismiss one of its employees if and when he no longer satisfies the condition of continued employment that he maintain his membership in the trade union.

"That is a standard form of union security in this province, one which is expressly permitted by the Labour Code. Thus, the legal result in these proceedings inevitably follows. The Hydro is required to discharge (the man) and the union is entitled to a board order directing Hydro to do that."

The board, however, did not issue the order to give the man a chance to submit to the other union disciplines "now that he realizes his legal position was misconceived."

The decision is likely to lead to renewed demands for right-to-work legislation in B.C. under which union membership would not be a required condition of employment. The B.C. government is resisting such pressure.

Whether the right-to-work lobby succeeds in B.C. or elsewhere in Canada is a matter for speculation. But in the meantime, the B.C. Labour Relations Board's decision in this case is the clearest enunciation so far of the rights of unions to discipline their members and as such, it greatly strengthens the hand of union leaders in dealing with splinter elements within their organizations. lg

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Occupational health: the poor relation, Part 2*

by Joan C. Brown

The years 1975-1977 have brought many revelations about the deplorable state of occupational health in Canada. Perhaps the most frightening of these is the realization of just how little is known about the nature of the health hazards in the workplace and about the real incidence of occupational illness.

Labour Canada, in a 1976 report on the implementation of ILO conventions on occupational health and safety *(Where Canada Stands),* pointed out that no jurisdiction, federal or provincial, has developed a list of carcinogenic (cancer causing) substances and agents, the use of which should be prohibited or controlled, and only three jurisdictions (federal, Quebec and British Columbia) had legislative provisions enabling them to prohibit the use of a harmful substance when a less harmful one is available. Steps are only now being taken to remedy these deficiencies.

Dr. E. Somers of Health and Welfare Canada's Environmental Health Directorate, speaking to a 1976 conference, said that there were now an estimated half a million chemical products in use in industry and some 3,000 new ones added to the production list each year *(Canadian Journal of Public Health,* September/October 1976). Toxic assessments are available for only a fraction of this huge number. The U.S. occupational health authorities have examined 13,000 and developed occupational health standards for about 400. Although many of these products alone or in combination with others may be highly dangerous, programs to examine them before they come into use have not been developed.

...it has become clear that the incidence of occupational illness shown in workers' compensation records does not give a true picture of the number of health hazards in the workplace

As occupational health services have been extended, it has become clear that the incidence of occupational illness shown in workers' compensation records does not give a true picture of the number of health hazards in the workplace. Labour Canada's annual report for 1975 commented that, "The problems investigated by the Hazard Evaluation Section during the year confirmed the findings in other jurisdictions that many health hazards are not being identified as work-related, and are therefore not recorded in first-aid records or compensation reports."

Further concern has been aroused by a U.S. National Institute of Occupational Health and Safety study of 958 workers in Washington and Oregon. This found an overall prevalence rate of occupational illness of 28.4 per 100 workers. The rate for those known to have been exposed to poorly controlled hazards was 39.0 per 100. Similar studies of Canadian workers have not been undertaken, though many believe that Canadian figures would not be significantly lower.

A Health and Welfare Canada report in 1977 *(Occupational Health in Canada — Current Status)* was frank about the current lack of occupational health and safety data:

To date no Canadian national centre or system exists for measurement and collection of all data on workplace factors (hazard surveillance) of the labour force. No universal code has been established by which to measure these factors, effects and health status. National disease registries or data banks do not exist for most diseases or for injuries directly or potentially work-related or work-induced. Well-designed period surveys of work sites (safety and industrial hygiene) have not been conducted either nationally or provincially in recent times.*

The series of task forces and commissions of inquiry that have examined various aspects of occupational health and safety in Canada since 1971 have highlighted the seriously fragmented

*Part 1 appeared in the June number of *The Labour Gazette*

*Among the main functions of the new Canadian Centre for Occupational Health and Safety will be the establishment of an integrated information system on all aspects of occupational health and safety, dissemination of authoritative information and the stimulation of research in this vital area. **Ed.**

nature of both health and safety arrangements and stressed the need for drastic reorganization. There has been almost universal agreement that occupational health must be given higher priority. If this is to be achieved, where should the responsibility lie? The majority of occupational health divisions are attached to health departments. Should this continue to be so?

The Comité d'étude sur la salubrité de l'industrie de l'amiante (the Beaudry report) recommended the establishment of a Régie de la santé au travail which would co-ordinate and direct occupational health and safety programs. Beaudry took the view that the question of the healthiness (salubrité) of the workplace was primarily a health problem, so the Régie should be attached to the department responsible for health services, the Ministère des Affaires sociales. In this department occupational health is seen as part of public health, and this view apparently was accepted by Beaudry in spite of the evidence the report presented that within a public health setting occupational health had not been accorded adequate priority by Affaires sociales in the past. Beaudry saw signs of greater awareness of occupational health issues developing in the department, and thought this could be built on.

Health and Welfare Canada also appears to see a continued role for health departments. Former health minister Marc Lalonde, giving evidence before the House of Commons Standing Committee on Health, Welfare and Social Affairs (May 11, 1976) dismissed as unrealistic the idea of a single department responsible for all occupational health and safety arrangements either at the federal or provincial level (though in fact such a department had existed in Saskatchewan since 1972). Lalonde

"...occupational health is part of the greater totality of environmental health. Exposure to hazards does not stop at the factory door"

saw close co-ordination between the relevant departments as the line to pursue, and was proposing to develop a more active role for Health and Welfare Canada.

Dr. Somers, of the department's Environmental Health Directorate, speaking at the conference referred to earlier, also argued for a health role. He said:

"I should like to present the concept that occupational health is part of the greater totality of environmental health. Exposure to hazards does not stop at the factory door. Fluorine, vinyl chloride, nitrosamines, sulphur dioxide, asbestos, lead, and radioactivity are hazards to health if they escape from the workplace to contaminate our air, water, soil, or total environment. We cannot consider their toxicity and ultimate control only in terms of hazards within the industrial setting. In addition, because of the intense exposure suffered occupationally, knowledge of environmental effects is best developed from occupational health data."

At the same 1976 occupational health and safety conference, another speaker, J. Stopps, associate professor of community health at the University of Toronto, questioned the wisdom of entrusting environmental and occupational health to health departments. If it was to be done, then "ways must be found to insulate them from the voracious financial appetite of the medicare programs.... Preventive medicine has always had a tough time competing for the health care dollar." However, it has not only been the sickness programs which have affected the priority rating of occupational health. Health and Welfare Canada's annual report for 1968 reported that in a service combining occupational health with air pollution, increasing demand for assistance to the provinces with air pollution problems had "seriously curtailed traditional industrial hygiene services of the division." The later shift of the occupational health division into the environmental health directorate does not appear to have led to an adequate priority rating for occupational health, at least until the federal and provincial health ministers singled out the subject for special attention.

"...an occupational safety and health program does not get the priority it deserves when it is located in a department with a broad spectrum of other programs to administer"

The Alberta Industrial Health and Safety Commission (the Gale report), unlike Beaudry, rejected the view that occupational health should be part of the public health services administered by the (then) Department of Health and Social Development. The Gale report noted that in the very wide spectrum of health care covered by the department, occupational health was a very small component and rated a low priority. The report went on to say "it is our opinion that a comprehensive, well co-ordinated program of total occupational safety and health cannot be offered to the worker and worksite so long as occupational health services continue to occupy a position of relative unimportance in the Department of Health and Social Development."

The Ontario Royal Commission on the Health and Safety of Workers

"SORRY, RHODES, BUT IF I LET YOU GO HOME I'D HAVE TO DO THE SAME IF ANY EMPLOYEE HAD A HEART ATTACK."

in Mines (the Ham report) took a similar stance. It recommended against a continuance of an occupational health function in the Ministry of Health where it received low priority, due in part to "the massive pre-occupation of the provincial health-care system with disease and diagnosis, as contrasted with preventive services."

Saskatchewan, in 1972, had also rejected the department of health as an appropriate base for occupational health. Robert Sass, associate deputy minister of labour and director of the Saskatchewan Occupational Health and Safety Division, told the Alberta Federation of Labour conference in 1977 that the government considered that occupational health had more to do with the conditions and processes of work than with diagnosis of disease and trauma. Silicosis, he said, is not only a disease of the lung, it is also a problem associated with the technology of hard-rock mining. The tendency (of health professionals) to concentrate on the worker rather than the technology involved was detrimental to the preventive approach.

The various inquiries were not only seeking an appropriate administrative base for occupational health where it would receive sufficient priority. They also sought to rationalize the safety services by bringing them together under one administration. Having — in most cases — rejected the health departments as a separate base for occupational health service, they went on to examine the suitability of various arrangements for both health and safety services.

As a first step the continuation of a separate role in mine safety for the department of mines or natural resources was discounted. Here the concern was a conflict of priorities, together with the mistrust which had developed between the workers and some of these departments. The Beaudry report commented on the conflict between the duty to promote economic and industrial growth and the duty to protect worker safety and health, and considered the two responsibilities should not fall within the same jurisdiction. The Gale report perhaps expressed the same idea implicitly when it noted that mine and quarry safety services "constitute a relatively small part of the total activities of the Coal Division, which we understand are basically directed toward physical resource conservation."

The Ham report, discussing the safety role of the Mines Engineering Branch of the Ministry of Natural Resources, said:

When that Ministry has the role both of promoting the development of the industry and protecting the health and safety of workers, failure to act is invariably seen as accommodation of interests. In the Commission's view there has been on more than one occasion unjustified complacency at the policy making level both in government and in the industry.

Workers' compensation boards were rejected on different grounds. The compensation and rehabilitation function of these boards was considered to be such a huge task in itself that it left little room for the development of a substantial preventive role. Further, while the boards had

given part of their attention to accident prevention, occupational health had been neglected by most of them. Instead they had tended to focus their attention on the compensation issues which occupational illness raised. None of the reports discussed the British Columbia board's program, which did include preventive activities in the occupational health field. Presumably they did not think this model was appropriate in the provincial setting they were considering.

"Preventive medicine has always had a tough time competing for the health care dollar"

The Gale report made a strong bid for a separate department of occupational health and safety. It endorsed many of the views expressed in the British report *Safety and Health at Work* (the Robens report) which had argued the necessity of separating the occupational health and safety function from all competing priorities. The Gale report stressed that not only should occupational health and safety have a clearly recognizable and separate identity but that it needed "the singular and particular attention of all the parties concerned." It considered that "an occupational safety and health program does not get the priority it deserves when it is located in a department with a broad spectrum of other programs to administer."

The Alberta government instead adopted Gale's second choice, the consolidation of all health and safety functions in the Department of Labour, the solution already adopted in Saskatchewan and later recommended by Ham for Ontario. Neither Gale nor Ham attempted much justification of this choice

...substantial changes that have taken place...across Canada should not be allowed to create the illusion that all is now well with occupational health

of labour as the appropriate department, though Ham did point out that it was useful that the Workmen's Compensation Board in Ontario was responsible to the same department. The Alberta government suggested that the choice of labour offered an added advantage of close departmental links with the Board of Industrial Relations and the Human Rights Commission.

Saskatchewan, which provided the lead in consolidating health and safety functions in the Department of Labour in 1972, chose that department according to associate deputy minister Robert Sass because it wanted the main thrust of the occupational health and safety program to be work, rather than the physiology or psychology of the worker. The Department of Labour (he wrote in an article in *Canadian Labour,* December 1975) "which is concerned with work and identified with the needs of working people was the logical location for this new kind of occupational health program."

This logic has now been accepted not only in Saskatchewan and Alberta, but also in Ontario and Manitoba, all of which have centralized occupational health and safety functions in the labour department. Newfoundland is moving in the same direction.

The very substantial changes that have taken place in occupational health and safety arrangements across Canada should not be allowed to create the illusion that all is now well with occupational health. Little change appears to be taking place in Prince Edward Island, the Northwest Territories or the Yukon. In spite of recent legislation New Brunswick still has not given occupational health real priority. In Quebec and Nova Scotia, occupational health programs remain in health departments which have not in the past given them notable priority.

At the federal level the situation is unclear. Labour Canada is moving more strongly into occupational health within its occupational health and safety division, which is responsible for the administration of the Canada Labour Code, and in the new Occupational Health and Safety Centre which is to promote the concept of a safe and healthy work environment (according to labour minister John Munro). At Health and Welfare Canada a federal-provincial working group on occupational health established by the federal and provincial ministers of health has been busy developing a "model" proposal for occupational health legislation, and a basic framework for education and training needs. It is preparing a list of notifiable occupational diseases, developing criteria for occupational respiratory diseases, and a basis for information exchange on early hazard warnings, diagnostic criteria, laboratory methods and research projects. (Dr. E. Somers in *Canadian Journal of Public Health* September/October 1976.) Presumably this group will continue to function in spite of the fact that a number of the provincial ministers of health who established it are no longer responsible for occupational health.

In a third development federally, the Science Council of Canada has proposed a National Advisory Council on Occupational and Environmental Health with a mandate to assess occupational and environmental risks and recommend standards of maxi-

mum permissible exposure levels *(Policies and Poisons).* The Science Council was lukewarm about Labour Canada's Occupational Health and Safety Centre and its recommendations relating to Health and Welfare Canada (as far as risk assessment and standard setting was concerned) suggest a rather marginal role for that department. It will be noted from the name of the proposed advisory council that occupational health is once more linked with environmental matters.

...the close association of all health and safety functions in one department enables maximum use to be made of the varied skills formerly spread over several departments and agencies

All of this, while giving evidence of a much greater interest on the part of the federal authorities in occupational health issues, does not suggest there has been the clarification of responsibilities which all the provincial-level inquiries have sought.

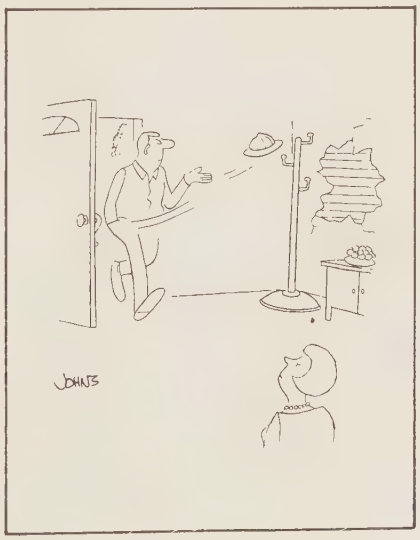
How will occupational health fare in the labour departments? On the negative side it has to be remembered that these departments, where they were the regulatory authority, had not been outstanding in the priority they gave to occupational health. The program still has to compete for staff and funds, this time with public and worker safety services. Where a strong occupational health division (such as Alberta's) has moved from health to labour, it will no doubt make its mark, but what will be the situation where occupational health has been under-developed?

On the positive side, the close association of all health and safety

The revelations of the various commissions of inquiry about the state of occupational health in Canada have created a momentum for change that is being sustained by media reporting, by political and union action...

functions in one department enables maximum use to be made of the varied skills formerly spread over several departments and agencies, and removes what Ham called the false dichotomy between health and safety. Problems do not now have to be referred from one department to another (with all the complications that involves) but can be the subject of shared expertise within a single unit, either through in-house discussion or (as happens in Saskatchewan) through joint inspections.

Within the labour departments, whose consolidated services have usually been the subject of legislation to define their powers, the occupational health programs now have a more satisfactory legal base and are in a better position to develop regulations and other means of enforcement where this



is necessary to control certain hazards.

An additional positive factor is likely to be the development of joint employer/employee health and safety committees in several provinces. The legislation providing for these is too recent everywhere but in Saskatchewan for any judgment to be made on their effectiveness, but in Saskatchewan, where they are mandatory, they are being given the tools to monitor the workplace for health hazards and the strong backing of the Occupational Health and Safety Division of the Department of Labour to control these hazards.

There is a further intangible but nevertheless important factor favoring better occupational health programs. The revelations of the various commissions of inquiry about the state of occupational health in Canada have created a momentum for change which is being sustained by media reporting, by political and union action, and by a steady flow of reports which have revealed yet more problems to be tackled. As long as this momentum is maintained, then failure to give adequate priority to occupational health programs, and in particular programs to prevent new onslaughts on the health of workers, will attract severe public criticism of the governments and departments involved. In light of the disastrous results of apathy and ignorance in the past, this can only be regarded as a healthy and health-giving development. lg

Joan C. Brown, a social policy analyst, is the author of How Much Choice? Retirement Policies in Canada *and* A Hit and Miss Affair: Policies for Disabled People in Canada, *published by the Canadian Council on Social Development. She is also a former Secretary-General of the Australian Council of Social Service.*

Labour legislation in Canada, 1977

Part 2: Human rights

by Cal McKerral

During 1977 six jurisdictions passed human rights legislation, the most significant of which was the **Canadian Human Rights Act**.

The Act comprises a preamble, five parts and an appendix. The preamble sets out the purpose of the act; i.e., to ensure that every person should have equal opportunity with others to make a life without being hindered by discriminatory practices, and to protect the privacy of individuals and their rights of access to records containing personal information concerning them.

Part one outlines prohibited forms of discrimination. For the purposes of the Act, race, national or ethnic origin, colour, religion, age, sex, marital status, conviction for which a pardon has been granted, and, in matters related to employment, physical handicap, are prohibited grounds of discrimination. The practices in which the above grounds of discrimination are prohibited are as follows:

- to deny or to adversely differentiate in relation to any individual in the provision of goods, services, facilities or accommodation customarily available to the general public;

- to deny or to adversely differentiate in relation to any individual in the provision of commercial premises or residential accommodation;

- to refuse to employ or continue to employ an individual or, in the course of employment, to differentiate adversely in relation to an employee;

- to use or circulate any form of application for employment, or in connection with employment or prospective employment to publish any advertisement or to make any written or oral inquiry that expresses or implies any limitation, specification or preference;

- to exclude an individual from full membership or to expel or suspend a member of an employee organization, or to limit, segregate, classify, etc. so that an employee would be deprived, limited in employment opportunities or otherwise adversely affected;

- (It is, however, not a discriminatory practice to exclude, suspend or expel an individual from membership in an employee organization when he or she has reached normal retirement age for individuals working in positions similar to the position of that individual.)

- for an employer or employee organization to have policies, practices, programs or to enter an agreement affecting recruitment, referral, hiring, promotion, training, apprenticeship, transfer or any other matter relating to employment or prospective employment that deprives or tends to deprive an individual or class of individuals of any employment opportunities;

- to establish or maintain differences in wages between male and female employees employed in the same establishment who are performing work of equal value;

- to publish or display before the public or to cause to be published or displayed before the public any notice, sign, symbol, emblem or other representation that expresses or implies discrimination or an intention to discriminate, or incites or is calculated to incite others to discriminate in the proscribed practices as outlined above.

Part Two of the Act establishes the **Canadian Human Rights Commission**, consisting of a Chief Commissioner, a Deputy Commissioner and between three and six other members, to be appointed by the Governor in Council.

The Chief and Deputy are full-time members of the Commission and the others may be full-time or part-time members. Full-time members may be appointed for a term not exceeding seven years and part-time members for a term not exceeding three years. Reappointment is also provided for.

Besides its duty with respect to complaints regarding discriminatory practices and administration of parts one, two and three of the Act, the Commission must foster public awareness of the Act, sponsor programs to promote the principles described in the preamble, maintain close liaison

with relevant provincial bodies and authorities, carry out studies, review statutory instruments, promote improvement in access to goods, services, and facilities and accommodation for handicapped persons, etc.

Succeeding sections outline such matters as assignment of duties, interdelegation of duties between the federal and provincial bodies and authorities, duties, powers, etc. of officers and staff, rules of disclosure, and other administrative matters.

Part Three deals with discriminatory practices and general provisions.

Any individual or group can, on reasonable grounds, file a complaint of alleged violations of the Act with the Commission. The Commission may refuse to deal with a third party complaint unless the alleged victim consents.

The Commission itself may also initiate complaints. It may also deal with multiple complaints together, whether they are jointly or separately filed, where it judges them to be substantially the same in fact or in law, and may appoint a single Human Rights Tribunal to deal with such complaints. The Act specifies that other appropriate avenues of redress should be sought before the Commission will deal with a complaint.

The Commission may designate an investigator to deal with a complaint. The investigator is authorized to investigate a complaint in accordance with regulations made under the Act. In general, however, the investigator may enter any premises other than a private dwelling place and carry out such inquiries as are reasonably necessary for the investigation of the complaint. Such entry must be made at a reasonable time and would be subject to rules in the interest of national security. Any individual found in the premises entered into may be required to produce relevant books, records, etc. for inspection or copy.

The investigator must, as soon as possible, submit a report of the findings of the investigation to the Commission. The Commission may adopt or reject the report.

The Commission may appoint a conciliator in order to bring about a settlement of the complaint.

A person is not eligible to act as a conciliator if that person has already acted as an investigator in respect of the same complaint.

Provision is made for a Human Rights Tribunal to conduct an inquiry into a complaint.

At any stage after the filing of a complaint and a hearing of a Tribunal, any settlement reached may be submitted to the Commission for approval or rejection.

A Human Rights Tribunal may consist of not more than three members, who are to be picked from a panel of prospective members.

No member, officer or employee of the Commission and no one who has acted as investigator in a complaint for which a Tribunal is appointed is eligible to be appointed to the Tribunal.

The Tribunal shall, after giving due notice to the Commission and all interested parties, hear evidence relevant to the complaint.

The Tribunal has the power to summon and enforce the attendance of witnesses and compel them to give evidence. It can also administer oaths and accept other evidence through affidavit or otherwise, as it sees fit.

A conciliator appointed to settle a complaint is not a competent or compellable witness at a Tribunal hearing into that complaint. Hearings must be public, except that a Tribunal may exclude members of the public during the whole or part of a hearing if it considers such exclusion to be in the public interest. The Tribunal can dismiss a complaint if it has not been substantiated, or it can, where the complaint has been substantiated, make an order against the offender.

Orders can include ceasing a discriminatory practice, measures to prevent future discrimination making available appropriate rights, opportunities or privileges, compensation for lost wages and expenses, as well as for additional costs of alternative goods, services, facilities or accommodation that the victim incurred as a result of the discriminatory practice.

Also, special compensation of up to five thousand dollars can be awarded for the victim's having suffered in respect to feelings or self-respect.

Separate orders can also be made where a discrimination based on physical handicap impeded access to premises or facilities.

Telephone hate messages are prohibited by the Act. In a case where such a practice is substantiated, the Tribunal may order the practices cease and order the adoption of special measures or programs to prevent future instances of the practice.

Where a Tribunal consisted of fewer than three members, appeal from the Tribunal's decision can be made to a Review Tribunal by

"Stop complaining — part of equal rights is figuring out how to pay the bills."

the complainant, the person against whom the complaint was made, or the Commission within thirty days after the Tribunal's decision or order was pronounced.

A Review Tribunal must consist of three members, to be selected from the panel of candidates. None of the members of the Review Tribunal can be one of the members of the original Tribunal. Appeal to the Review Tribunal lies from a Tribunal decision or order on any question of law or fact or mixed law and fact.

The Review Tribunal may either dismiss the appeal or allow it, rendering an appropriate order.

Any order of a Tribunal or Review Tribunal may be made on order of the Federal Court of Canada and is enforceable in the same manner as an order of that Court.

The Act protects any complainant or participant in the initiation of a complaint or prosecution from intimidation or discrimination.

Fines of up to fifty thousand dollars for an employer, employer association or employee association and up to five thousand dollars in any other case are provided for contravention of provisions of the Act.

Prosecutions may be brought against an employer or employee association with the consent of the Attorney General of Canada. No superannuation or pension fund or plan established by an Act of Parliament is affected by Parts One and Two of the Act before an allowing section comes into force.

The Act applies to members of the Canadian Forces and the Royal Canadian Mounted Police.

Part Four of the Act deals with protection of personal information.

The provisions apply to all federal information banks (i.e. collections or grouping of personal information recorded in any form, that is within the control of a government institution and that has been collected from an individual or individuals or a corporation or institution).

Individuals are entitled to ascertain the uses to which information in government information banks is being put. Records may be examined by individuals and correction and notations may be requested.

Consultation and consent are provided for where information is to be put to a non-derivative use (i.e. a use not originally intended).

Exemption from access to information is possible in particular cases where in the opinion of the appropriate Minister and with the approval of the Governor in Council an order should be given because of matters involving international relations, national defence or security, federal-provincial relations, an investigative body, crime detection or suppression, or investigations of offences against any Act of Parliament. Exemptions from access to certain types of information by an appropriate Minister are also provided for. These include the above, plus other matters related to the administration of justice.

An appropriate Minister in control of a federal information bank may order that certain records not be made available for inspection, amendment, notation, etc. But where the order has been in effect for two years, such records affected by the order must not be used for administrative purposes.

A designated Minister shall co-ordinate federal information banks to ensure compliance with Part Four and any regulations made

under it. This duty includes elimination of unnecessary information banks.

A member of the Human Rights Commission is to be designated as Privacy Commissioner.

The Privacy Commissioner must receive and investigate complaints from persons who allege that they are not being afforded their rights under Part Four.

These investigations must be conducted in private. Any person or government institution which may be adversely affected by the Privacy Commissioner's findings must, however, be given an opportunity to answer.

The Privacy Commissioner has, for the purpose of investigating complaints, the powers of a Human Rights Tribunal.

Where a complaint is substantiated, the Privacy Commissioner must report to the appropriate Minister his findings and recommendations, and may request a report of plans to rectify the situation, or reasons why a situation has not been rectified.

The Privacy Commissioner must also report to the complainant. An annual report by the Privacy Commissioner must be made to Parliament. Studies must also be carried out by the Commissioner regarding the fulfillment of the provisions of Part Four.

Part Five of the Act contains general provisions. Among them are the declaration that the Act is binding on Her Majesty in right of Canada, and that nothing in the Act affects any provision of the Indian Act or any provision made under or pursuant to the Indian Act.

The Act repeals Part One of the Canada Labour Code, (Fair Employment Practices) and replaces section 38.1 (in Part Three of the Canada Labour Code) which contains equal pay provisions.

The Act also amends the Unemployment Insurance Act, 1971, to proscribe discrimination (including political affiliation), but makes allowance for special programs designed to assist members of identifiable groups where disadvantages are or would be based on or related to race, national or ethnic origin, colour, religion, age, sex, marital status or physical handicap.

The appendix to the Act lists all government departments and institutions affected by Part Four of the Act.

British Columbia

On August 30, 1977, the Government of British Columbia passed Bill 63, The Ombudsman Act.

The Act establishes the office of Ombudsman for British Columbia.

Appointment is made by the Lieutenant-Governor on recommendation of the Legislature. This would follow upon unanimous recommendation by a special committee of the Legislative Assembly.

Appointment is for a term of six years, with the possibility of reappointment for further six-year terms.

Suspension or removal of the ombudsman from office can be effected by the Lieutenant-Governor on the recommendation of the legislative assembly.

Provision is made for the appointment of an acting ombudsman by the Lieutenant-Governor.

The ombudsman is empowered to investigate decisions or recommendations, acts done or omitted, or procedure used by governments (provincial and municipal) and agencies listed in the schedule attached to the Act.

Upon complaint or by his or her own initiative, the ombudsman has the power to investigate as (s)he saw appropriate, and to obtain pertinent information and conduct hearings.

No report which would adversely affect an authority or person can be made without the authority or person being given the opportunity to make representations.

The Act does not give the Ombudsman power to reverse or vary a decision of an authority, but only to recommend to the authority that it change its procedures to give more efficient or fair service to the public.

The ombudsman is obliged to report annually to the Legislature, and would be empowered to publicize his findings.

Manitoba

On June 17, 1977, Manitoba added "physical handicap" to the prohibited grounds for discrimination.

Advertising, provision of services, accommodation and facilities, purchase of property, contracts ordinarily made available to the public, and employment and employment-related areas are subject to the new provisions.

Quebec

Quebec passed Bill 88, an Act to Amend the Charter of Human Rights and Freedoms on December 15, 1977, to add "sexual

orientation" to the list of grounds upon which discrimination is prohibited.

Alberta

The Blind Person's Guide Dog Act was passed in Alberta. The Act prohibits discrimination against blind persons accompanied by a guide dog, in the provision of, or conditions of provision of accommodation, services or facilities available to the public.

Specifically prohibited also is discrimination in the provision of, or terms or condition of occupancy, of any self-contained dwelling unit by reason only that a person is blind and customarily accompanied by a guide dog.

Provision is made for voluntary use of a special card to identify the person and his guide dog.

Fines of up to $1,000 are provided for people who discriminate, and fines of up to $100 are provided for people who purport to be a blind person for the purpose of claiming benefits of the Act.

Nova Scotia

In Nova Scotia the legislature passed several pieces of legislation pertaining to individuals' rights. One of these was an Act to Amend the Statute Law Respecting Women. Statutes affected by the Act include:

- The Civil Service Act — the right to appointment to the civil service and to write civil service exams without regard to race, religion, creed, colour, ethnic or national origin, sex, marital status, age or physical handicap;

- The Human Rights Act — prohibition of discrimination on the grounds of marital status by employment agencies, employee's organizations, professional and business and trade associations and voluntary or public service organizations;

- prohibition of discrimination on the ground of marital status in employment, conditions of employment, and application forms and advertising for employment;

- Labour Standards Code — removal of the authority of the minimum wage board to determine minimum wages on the basis of sex of the employee;

- Consumer Protection Act — prohibition of a lender or seller from discriminating against a borrower or buyer solely because the borrower or buyer is a woman;

- Guardianship Act — the right of the courts to now appoint either the father or the mother to be the guardian of the estate of an infant;

- Education Act — redefinition of the term "parent" to eliminate the preferrential position of the father over the mother;

- Police Act — deletion of the words "man" and "men" and substitution of the word "member" when referring to members of police forces.

Another bill which was passed was an Act to Amend Chapter 11 of the Acts of 1969, the Human Rights Act.

The requirement for a Minister to provide "terms of reference" to a board of inquiry is eliminated. Now, the Minister must provide a board with a true copy of a complaint.

A list of parties to a proceeding before a board of inquiry is now provided in the Act (i.e. the Commission, the complainant, any person named in the complaint as having been dealt with contrary to the provisions of the Human Rights Act, any person named in the complaint and alleged to have contravened the Act, any other person specified by the board upon such notice as the board may determine and after the person has been given an opportunity to be heard against joinder as a party).

Detailed procedure to be followed by a board of inquiry is included in the amendments. A board of inquiry has the power to order any party who has contravened the Act to comply with it, rectify any injury, or pay compensation. Under the former provisions a board of inquiry reported recommendations to the Human Rights Commission which in turn made recommendations to the Minister.

Confidentiality of information is provided to the Commission or its Director or employees. These persons are not required to provide Commission records or evidence to any board of inquiry or any Court.

A right of appeal lies from a board of inquiry to the Appeal Division of the Supreme Court. This appeal is conducted on the basis of the record of proceedings before the board of inquiry.

The provision permitting the Minister to issue an order is repealed, since this is now done by a board of inquiry. Another statute passed in Nova Scotia was an Act Respecting Access by the Public to Information on File with the Government.

The bill details the types of information which will be accessible to the public. These include organization of government depart

ments, administrative and staff manuals, general policy and applicability of policy, rules of procedure, final decisions of administrative tribunals, personal information contained in files pertaining to the person making the request for information, departmental annual reports and regulations and programs and policies of a department.

Certain types of information will not be accessible to the public. These include information which might reveal personal information concerning another person, result in financial gain or loss to a person or department, influence negotiations in progress leading to an agreement or contract, jeopardize the ability of a department to function on a competitive basis, be injurious to relations with another government, be likely to disclose information obtained or prepared during the conduct of an investigation concerning alleged violations of any enactment or the administration of justice, be detrimental to the proper custody, control or supervision of persons under sentence, disclose legal opinions or advice provided to a department by a law officer of the Crown, or privileged communications between barrister and client in a matter of departmental business, disclose opinions or recommendations by public servants in matters for decision by a Minister or the Executive Council, or disclose draft legislation or regulations, disclose information the confidentiality of which is protected by an enactment.

A person may request that personal information pertaining to him or her be corrected and amended, or that information contained in the file may not be used for certain purposes without the person's consent. Injunctive relief may be sought to amend or correct personal information on a file maintained by a department.

Provision is made for guarding the confidentiality of personal information held by the government, and for the availability of information about one's self.

Rules are set out for the making available of information requested by the public. Requests must be responded to within 15 days.

Denials of information may be appealed to the Minister.

There is a 15-day time limit for filing an appeal, and a 30-day limit for a Ministerial response.

A Ministerial confirmation of denial may be further appealed to the Assembly through a member making a motion in the House. The House would then deal with the motion according to its Rules and Forms of Procedure.

Bill 146, an Act to Establish an Advisory Council on the Status of Women, was passed.

The Act establishes an Advisory Council on the Status of Women.

No particular number of members is specified.

Terms of office are:

(a) for the President and at least one-half of the members — not more than three years

(b) for remainder — not more than two years.

Appointments to the council are to be made by the Governor in Council on the recommendation of the Minister responsible for the Act.

The Council will advise the Minister upon such matters relating to the status of women as are referred to it for consideration by the Minister, and will bring to the attention of the Minister matters of interest and concern to women.

To achieve these ends, the Council may receive and hear petitions, undertake and recommend research, recommend and participate in programs, propose legislation, policies and practices, and publish reports, studies and recommendations. Provision is made for an Executive Director of the Council, to keep records, provide stenographic and other services, supervise research projects, etc.

The Council is obligated to make an annual report of its activities to the Minister.

An Act Respecting Certain Rights of Blind Persons was passed May 11, 1977.

The Act makes it an offence for anyone to discriminate against a blind person accompanied by a guide dog, in the provision of accommodation, services or facilities available to the public, or in the provision of occupancy in any self-contained dwelling unit.

The Act also prohibits the carrying of a cane or walking stick the major part of which is white, in any public place, public thoroughfare or public conveyance, by anyone other than a blind person.

It is an offence for anyone to purport to be a blind person for the purpose of obtaining or attempting to obtain the benefit of the Act.

The Act repeals the White Cane Act. lg

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Books

Structure and Functions of Rural Workers' Organizations

International Labour Office, Geneva, 1978; 160 pp.

More than two thirds of the world's population live in rural areas. Their future, and much of the future of this planet depends on whether they can form trade-union-type organizations to rectify the centuries-long injustices they continue to suffer as well as to effectively contribute to economic development.

This book, the first of its kind, attempts to fill the huge gap between numerous international declarations on rural workers' rights and the cruel realities existing in most parts of the world. The theme is that without union-type organizations of, for and by rural workers, this gap can never be bridged, especially with most of the limited expenditures in the developing world going to urban areas and with influential landlords often blocking governmental efforts.

Since 1921, the ILO has adopted a number of Conventions spelling out the rights of rural workers to organization, association and collective bargaining. These were capped by the 1975 Rural Workers' Organizations Recommendations, which declared that all categories of rural workers "Shall have the right to establish and to join organizations of their own choosing...free from all interference, coercion or repression," and detailed the legislative, administrative and educational steps conducive to this. However, there is still a world of difference between agreeing that certain aims are desirable and actually achieving these aims.

The book provides valuable knowledge about conditions prevailing in various areas of the world and documents case studies of existing rural workers' organizations. In most cases initial help is needed from national urban workers' unions or from the three agriculture-oriented international trade secretariats: the International Federation of Plantation, Agricultural and Allied Workers; the Trade Unions International of Agricultural, Forestry and Plantation Workers; and the World Federation of Agricultural Workers.

A distinction is made between organizations of wage earners and of so-called self-employed peasants, who include tenants, sharecroppers and subsistence owners-occupiers. The former rely primarily on the traditional trade union methods of collective bargaining while the latter, since they have no single employer to deal with, resort more to pressure-group activities and seek active representation and participation in national affairs to push for agrarian reform.

In all cases, the organization must show that it is the "voice" and true representative of rural workers by having a large membership. Because of sheer numbers, annual dues equivalent to no more than the price of a chicken can keep such organizations going and even enable them to provide special services to members. Roaming field representatives from the central or national federation serve as collectors, communicators, negotiators and recruiters, with every member encouraged to become an activist himself.

Many inspiring successes are recorded, but much more remains to be done and on a more comprehensive scale. In fact, the percentage of organized rural workers may be on the decline in most parts of the world even though their number grows.

The recorded history of rural workers abounds with rebellions and revolution sparked by conditions of extreme exploitation. Leaders of the first known trade union for farm workers, formed in Tolpuddle, England, in 1833, were treated like common criminals and became subsequently known as the "Tolpuddle Martyrs."

Ongoing Tolpuddle stories in many other countries have yet to be fully documented and recorded for posterity. The book is careful to avoid politics and mentions no country by name, but it warns that serious disturbances could result if current attitudes persist. Quite conceivably, this most original of silent majorities could become an easy target for subversive ideologies unless allowed, and actively helped, to mobilize for their own good and for the sake of national and international development.

Bill Megalli

Housing You Can Afford

by **Alexander F. Laidlaw,** Green Tree Publishing Company, Toronto, 1977.

In 1958, the Canadian Labour Congress and the Co-operative Union of Canada jointly established the National Labour-Cooperative Committee to encourage the co-operatives in urban Canada, since the co-operative movement was having a hard time putting down strong roots outside rural areas. One activity for which the committee must be given credit is generating a great deal of enthusiasm for co-operative housing. In 1958, the co-operative form of home ownership was almost unknown in Canada, but by 1976 there were 75 housing co-operatives (not including student co-ops) receiving financing under the National Housing Act.

In *Housing You Can Afford,* Alexander F. Laidlaw, who is probably the country's foremost authority on the subject, chronicles how that came about, and describes how by using the co-op method almost any willing group can overcome many of the obstacles to home ownership presented by the normal housing markets.

When Laidlaw discusses co-op housing, he doesn't mean the so-called "sweat equity" building co-operatives in which workers used to get together — and still do in some places — to build houses co-operatively, so that each member of the group could take over individual ownership of a house when the project was completed. Laidlaw writes about "continuing" housing co-ops — projects that are owned jointly by the people who live in them.

An important impetus to continuing co-ops was given by a 1973 amendment to the National Housing Act that made them eligible, under certain circumstances, for 100 per cent financing at below-market interest rates. "Co-operatives now have the legislative and financial base from which they could grow more rapidly than before," Laidlaw writes, for from this amendment flowed supporting regulations and a budget for loan commitments. In 1975 alone, Central Mortgage and Housing Corporation made commitments totalling $44.4 million for assistance to co-op housing projects.

The continuing co-op way is truly radical for many Canadians. A member who joins a co-op does not buy a unit or purchase property, but rather a share of ownership in a housing project. The member stands to make absolutely no capital gain on his investment. All he does is protect himself from the vagaries of the housing, land and interest markets. Another radical difference is that a co-op project is usually planned by the members themselves rather than by some developer who intends to make a profit out of it. Most are multiple-unit projects, though they come in a wide variety of structures — from new high-rise apartment towers to rehabilitated older houses — and cater to a wide range of income levels. Thanks to the NHA financing provisions, occupancy is usually available for a low initial down payment and relatively low monthly rentals that increase only moderately over the years.

Jim MacDonald, executive director of the National Labour-Cooperative Committee and president of one of its spin-off organizations, the Co-operative Housing Foundation, says he hopes that one day this form of housing will account for 10 per cent of housing starts across Canada. He claims this objective is not as far fetched as it might appear, noting that in Sweden the country's two major co-op housing foundations account for one third of annual housing starts.

But, as Laidlaw points out, too many Canadians still cling to the belief that they should own an individual house on an individual lot and have the right to make a profit when they move out of it. That bit ot conventional wisdom has become a mere fantasy for most Canadians, given the reality of the conventional housing market. Nevertheless, that fantasy may be the biggest barrier of all to the growth of co-op housing.

Laidlaw has spent a lifetime educating people about the co-operative way of solving economic problems. A 1940s veteran of St. Francis Xavier University's internationally-famed Antigonish movement of education through co-operative social action, he is a former general secretary of the Co-operative Union of Canada and a former member of the Board of directors of CMHC. In *Housing You Can Afford,* he presents the case for co-op housing in clear prose and with irrefutable logic. What a pity so few Canadians use the same logic in their decisions as consumers of housing!

Roy LaBerge

New periodical

The Ontario Ministry of Labour has launched a new quarterly periodical called *Workplace,* aimed not only at keeping senior executives, labour leaders and the professions informed of the activities of its occupational health and safety division but also at providing a forum for "informed discussion" of current topics in the field. The first issue, March, 1978, carries an informative one-page report on the hazards of PCBs (polychlorinated biphenyls) and how to control them.

Research Notes

Arbitration

"Public Employees in Massachusetts and final-offer arbitration," by David B. Lipsky and Thomas A. Barocci. *Monthly Labor Review,* April 1978.

Since July 1974, Massachusetts law has provided for final-offer arbitration by package for police and firefighter units.

Critics of the plan have contended that it favours the unions, stifles the bargaining process and results in inflationary wage settlements. The authors find little evidence, however, to support these views. An analysis of the final-offer awards showed that, in all but a few cases, the arbitrator selected the final-offer package that came closest to (or was identical to) the recommendations of the factfinder who had previously investigated and reported on the dispute.

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"Final-Offer-Selection vs. Last-Offer-by-Issue Systems of Arbitration," by A.V. Subbarao. *Relations Industrielles,* Vol. 33, no. 1.

This paper analyzes theoretically and empirically the impact of the two "one or the other" systems of binding interest arbitration on the negotiation process and outcome. Final-offer-selection (FOS) is defined as a system in which an arbitrator selects one of the parties' package of final offers and last-offer-by-issue as a system in which the arbitrator selects, on each separate issue, "one or the other" of the parties' last offers.

The results of the research indicate that the LOBI system may have a 'chilling' effect on negotiations, similar to conventional arbitration, whereby the parties withhold concessions on some or all issues in negotiations with the expectation that the arbitrator may issue a compromise award. The FOS system, by contrast, may generate 'free' negotiations, similar to those which would be conducted under the threat of a work stoppage. The latter approach, therefore, may be the real alternative to the strike.

Collective Bargaining

Collective Bargaining Information Sources. Central Analytical Services, Labour Canada, 1978.

This publication is intended to serve as a reference guide to sources of information on collective bargaining in Canada. The first section relates to compensation — wages, salaries, working conditions and fringe benefits. Other sections, shortly to be available, will cover economic data and forecasts, labour relations information and related library services. Updated and new entries will also be provided for all sections as necessary.

Controls

"The Compensation Decisions of the Anti-Inflation Board," by Allan M. Maslove and Gene Swimmer. *Relations Industrielles,* Vol. 33, no. 1.

An empirical analysis of AIB decisions suggests that a prime concern of the board during its first year of operation was to establish its legitimacy and acceptance as an instrument of the government's anti-inflation policy. An important part of this objective was the avoidance of disruptive situations that would damage the board's public credibility. Indications of this are the fact that the more the negotiated settlement exceeded the guidelin the greater the increase the board approved; and the fact that it appeared to be more generous in its treatment of militant groups. Also consistent with this interpretation are the findings that AIB rulings tended to be more generous earlier on in its life and that the more visible public sector contracts were more strictly controlled.

Discrimination

"Pay Discrimination against women in Canada," by Naresh C. Agarwal and Harish C. Jain. *International Review,* March-April 1978.

Although all jurisdictions in Canada have enacted equal pay laws prohibiting pay discriminatio based on sex, male-female pay differentials have tended to rema generally stable, or even to increase in some cases.

Reasons which may explain the ineffectiveness of the legislation, the authors suggest, are the fact that its application is restricted to cases in which the same or similar work is performed by men and women within the same establishment; the types of exceptions allowed; and lax enforcement procedures. Based on these hypotheses, the authors make a number of recommendations aimed at strengthening the legislation.

Employee benefits

Pour une meilleure qualité de vie...les avantages sociaux. School of Industrial Relations, University of Montreal, 1978.

Fringe benefits was the theme of the University of Montreal's eighth annual industrial relations conference, held in November 1977. The published proceedings include papers on fringe benefit plans; the relationship between public and private pension schemes; and new types of fringe benefits.

Health and safety

Health and Safety in the Canadian Mining Industry, by G.W. Gibbs and P. Pintus. Centre for Resource Studies, Queen's University, May 1978.

This study examines the problems and implications of industrial accidents and occupational diseases among Canada's 95,000 mine and mill workers. The study reviews the exposures and diseases which occur in Canadian mining, including dusts and dust-related diseases and environmental factors such as radiation, noise, vibration and illumination. Existing information and reporting practices are examined and recommendations for a comprehensive system to improve the understanding and control of mineral-related occupational diseases are made.

Industrial democracy

Industrial Democracy in Western Europe, by John Crispo. McGraw-Hill Ryerson, 1978.

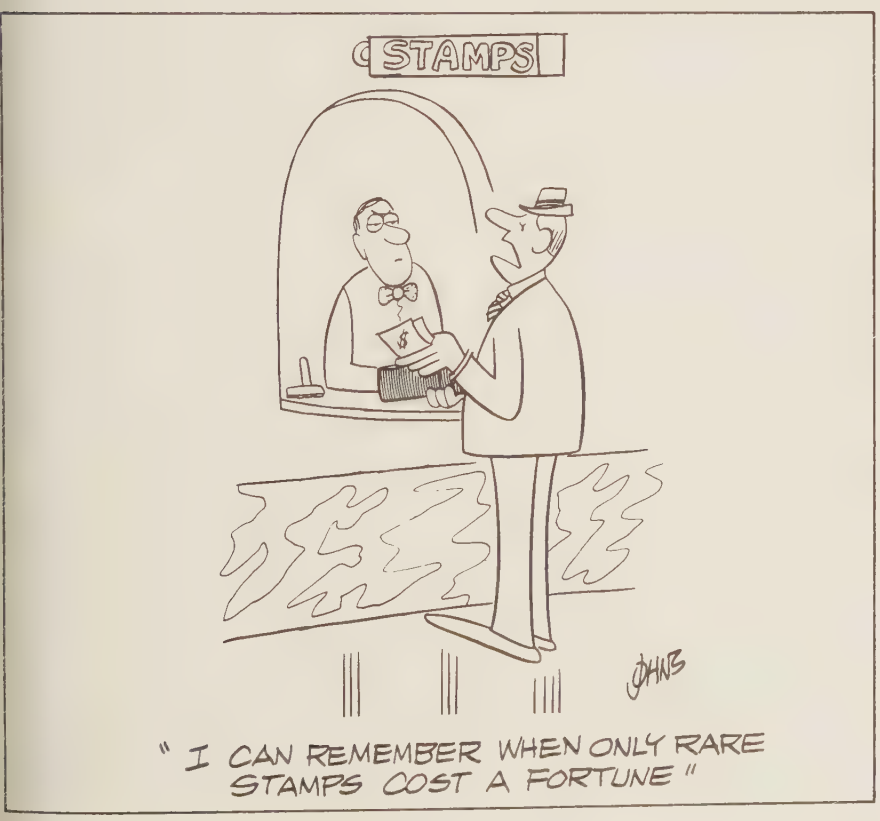
This study analyzes the growing influence of unions and workers at various levels in the overall socio-economic-political decision-making process in Western Europe. Specific aspects examined include the role of organized labour in national economic and social policy formulation; joint or tripartite administration of public programs; worker representation on company boards and works councils. The author also discusses at some length the implications and relevance of these developments for North America.

Pensions

La Sécurité financière des personnes âgées au Québec. Rapport de Cofirentes, 1978.

Reforms in both the public and private pension systems in Quebec are advocated by a study committee appointed by the Quebec government. Among the recommended changes are increases in the retirement benefits paid by the Quebec Pension Plan; an increase in employer and employee contributions to the plan; improved vesting and portability provisions for those covered by private plans; and some provision for cost-of-living adjustments in private plans.

Laurence A. Kelly



PRICES, EMPLOYMENT, AND EARNINGS

THE LABOUR MARKET — MAY 1978

Seasonally adjusted data — changes from April 1978

Employment growth accelerated in May to 0.3 per cent. A slightly faster growth in the labour force (0.4 per cent) was not enough to change the unemployment rate; so it remained at 8.6 per cent for the third consecutive month.

The rise in total employment was led by a strong growth in youth employment (0.7 per cent), while growth for both adult males (0.1 per cent) and adult females (0.1 per cent) was marginal. The adult male unemployment rate remained unchanged in May at 5.4 per cent as changes in their employment and labour force were marginal, while the rates for adult females (8.0 per cent) and youths (15.1 per cent) were both higher due to faster growth in labour force than employment.

On a regional basis, the changes in April were reversed. Following increases in April, employment declined in the Maritimes (- 0.1 per cent) and British Columbia (- 0.2 per cent) and was virtually unchanged in Ontario. In contrast, declines in April were followed by employment increases in Quebec (0.4 per cent) and the Prairies (1.0 per cent).

Regional unemployment rates were higher in Quebec (11.5 per cent), British Columbia (8.0 per cent) and Ontario (7.5 per cent), and lower in the Atlantic provinces (13.0 per cent) and the Prairies (5.2 per cent). In Quebec the rate increased as employment grew slower than the labour force, while in British Columbia the increase was due to the decline in employment coupled with an increase in the labour force. A slight increase in the Ontario rate was due to the marginal increase in the labour force exceeding the marginal increase in employment. In contrast, the drop in the rate in the Maritimes was due to a slower fall in employment than labour force, while in the Prairies the rate declined as employment grew significantly and outpaced the growth in the labour force.

In the industries employment grew strongly in agriculture (3.5 per cent), manufacturing (1.5 per cent), finance, insurance and real estate (1.7 per cent) and public administration (1.1 per cent), while it declined significantly in other primary industries (- 1.2 per cent) and community business and personal services (- 1.0 per cent).

Unadjusted data

The actual level of employment (10,118,000) in May, 1978 was 296,000 (or 3.0 per cent) higher than in May 1977, and the labour force (11,051,000) was 406,000 (or 3.8 per cent) higher; as a result the level of unemployment rate was 8.4 per cent compared with 9.3 per cent in April and 7.7 per cent in May, 1977.

THE CONSUMER PRICE INDEX — MAY 1978

The Consumr Price Index increased 1.4 per cent to 173.6 (1971 = 100) in May from 171.2 in April. It was the largest monthly increase since July 1975. After a period of slight moderation (February to April) the annual rate of increase in the CPI accelerated in May to 9.0 per cent the same as it was in January. The food index, with a relative importance of 27 per cent, contributed 70 per cent to the latest month-to-month increase.

The acceleration in the CPI was due mainly to a substantial increase in food prices — 3.3 per cent over the month and 16.9 per cent from May 1977. The comparable figures for non-food items, 0.6 per cent and 6.2 per cent, are very moderate in comparison.

Higher prices for beef (10.5 per cent over the month and 52.5 per cent since May 1977), fruits and vegetables (10.4 per cent and 29.3 per cent) were largely responsible for the increase in the food index. Increased prices for butter some other dairy products, and chicken also contributed to this rise. The food at home index increased 3.9 per cent, the largest monthly increase of this component since June 1975. In contrast food away from home increased 0.6 per cent.

Higher homeownership costs (0.6 per cent increase) along with increased prices for tobacco (3.0 per cent) and alcohol (0.9 per

cent) were the main contributors to the increase in the all-items excluding food index. Other notable factors included higher prices for some new automobiles, recreational equipment and household utensils and equipment.

On a seasonally adjusted basis, the all-items index advanced 1.2 per cent between April and May. The increase for food products was 2.6 per cent compared with 0.6 per cent for non-food items. The current annual rate of change, based on seasonally-adjusted movements in the latest three months, moved up sharply to 11.3 per cent from 8.3 per cent in April.

JOB VACANCIES

Preliminary estimates of the average number of jobs vacant on a daily basis during the three-month period ended April 30 show an increase of 2 per cent from the previous three-month period. Vacancies for full-time, part-time and casual jobs were 37,500. Compared with the three-month period a year ago, the number of vacancies decreased by 4,100 or 10 per cent.

Vacancies for full-time jobs showed a slight increase from the preceding period to 33,500. Longer-term vacancies (jobs unfilled for more than four weeks) remained unchanged at 12,000.

For every 1,000 existing jobs in the latest three-month period four were vacant, the same as in the preceding period and a decrease of one from the comparable period a year ago. The highest vacancy rates were observed in Alberta (8 per 1,000) and Saskatchewan (5 per 1,000). The lowest rate occurred in New Brunswick (3 per 1,000).

EARNINGS AND INCOME — MARCH 1978

The first estimates of the average weekly earnings for the industrial composite increased 0.4 per cent, on a seasonally-adjusted basis, between February and March. All regions participated in the overall increase except the Atlantic which declined to a level ($224.33) below that of September 1977.

In industries, forestry, construction and finance, insurance and real estate recorded declines while the other industry divisions increased. In manufacturing, the increase was 0.5 per cent, preceded by a very steep increase in February (2.5 per cent). Average weekly hours advanced in mining but decreased in manufacturing and in construction. Average hourly earnings increased in manufacturing and in construction but declined in mining.

On an unadjusted basis, average weekly earnings for the industrial composite advanced 6.6 per cent to $260.90 in March from $244.68 a year ago. In real terms, this amounted to a decrease of 1.7 per cent. By industry the highest paid workers were in construction $374.98 (annual increase of 4.7 per cent) followed by mining $372.52 (8.3 per cent), forestry $356.01 (9.5 per cent), transportation, communication and other utilities $304.32 (6.5 per cent), manufacturing $281.44 (7.6 per cent), finance, insurance and real estate $241.13 (5.3 per cent), trade $199.65 (7.5 per cent) and lastly service $179.32 (6.6 per cent). Regionally, average weekly earnings were highest in British Columbia $294.68 (6.3 per cent), followed by Ontario $261.00 (6.8 per cent), the Prairies $257.17 (6.5 per cent), Quebec $256.02 (7.3 per cent) and the Maritimes $227.00 (3.1 per cent).

Total labour income was estimated at $10.4 billion, an increase of $811 million or 8.5 per cent from March 1977. Seasonally adjusted wages and salaries increased by $63 million (or 0.7 per cent) between February and March to $9.8 billion.

Back issues of *The Labour Gazette*

A recent inventory shows that we have on hand — free for the asking — a limited number of copies of the following issues of *The Labour Gazette.*

1976: October.

1977: February, August, October November.

1978: April, May.

Anyone wishing to receive any of the above may obtain them by writing to: Editor, *The Labour Gazette,* Canada Department of Labour, Ottawa K1A 0J2.

labour statistics

LABOUR MARKET

	Seasonally Adjusted					Unadjusted		
				% change[2]				
	Mar. 1978	Apr. 1978	May 1978	Apr.	May	May 1977	May 1978	% Change[1]
TOTAL	(numbers in thousands)							
Labour Force	10,922	10,931	10,972	0.1	0.4	10,645	11,051	
Employment	9,984	9,996	10,023	0.1	0.3	9,822	10,118	
Unemployment	938	935	949	- 0.3	1.5	824	933	13
Unemployment Rate (%)	8.6	8.6	8.6	—	—	7.7	8.4	
Participation Rate (%)	62.4	62.3	62.5	—	—	61.9	62.9	
Both Sexes: 15-24	64.1	63.5	64.1	—	—	64.2	65.0	
Men:	77.9	77.8	77.9	—	—	78.5	78.6	
— 25 and over	81.0	81.0	80.9	—	—	81.3	81.3	
Women :	47.3	47.4	47.5	—	—	45.8	47.7	
— 25 and over	43.6	43.8	43.9	—	—	41.8	44.0	
EMPLOYMENT	9,984	9,996	10,023	0.1	0.3	9,822	10,118	
Both Sexes: 15-24	2,485	2,472	2,489	- 0.5	0.7	2,494	2,533	
Men:	6,191	6,174	6,196	- 0.3	0.4	6,173	6,267	
— 25 and over	4,839	4,835	4,841	- 0.1	0.1	4,783	4,867	
Women:	3,793	3,822	3,827	0.8	0.1	3,649	3,851	
— 25 and over	2,660	2,689	2,693	1.1	0.1	2,545	2,717	
Paid Workers	8,944	8,990	9,015	0.5	0.3	8,825	9,058	
— Non-Agriculture	8,816	8,868	8,892	0.6	0.3	8,668	8,924	
In Industries								
Agriculture	467	453	469	- 3.0	3.5	488	490	
Manufacturing	1,951	1,970	1,999	1.0	1.5	1,915	1,992	
Construction	628	622	625	- 1.0	0.5	667	644	
Trade	1,748	1,773	1,778	1.4	0.3	1,684	1,774	
Services	2,809	2,829	2,802	0.7	- 1.0	2,735	2,810	
By Regions								
Atlantic	751	757	756	0.8	- 0.1	745	764	
Quebec	2,543	2,538	2,547	- 0.2	0.4	2,505	2,552	
Ontario	3,842	3,860	3,861	0.5	0.0	3,785	3,894	
Prairies	1,744	1,740	1,758	- 0.2	1.0	1,702	1,783	
British Columbia	1,103	1,108	1,106	0.5	- 0.2	1,085	1,123	
UNEMPLOYMENT RATE (%)	8.6	8.6	8.6	—	—	7.7	8.4	
Both Sexes: 15-24	15.1	14.8	15.1	—	—	13.9	14.8	
Men:	7.7	7.9	7.9	—	—	7.1	7.7	
— 25 and over	5.1	5.4	5.4	—	—	4.8	5.3	
Women:	10.0	9.6	9.9	—	—	8.9	9.7	
— 25 and over	8.1	7.8	8.0	—	—	6.5	7.5	
By Regions								
Atlantic	13.0	13.2	13.0	—	—	12.4	13.3	
Quebec	11.5	11.2	11.5	—	—	9.9	11.3	
Ontario	7.4	7.4	7.5	—	—	6.8	7.3	
Prairies	5.3	5.5	5.2	—	—	4.4	4.9	
British Columbia	8.5	7.7	8.0	—	—	7.6	7.6	
EMPLOYMENT RATIO	57.0	57.0	57.1	—	—	57.1	57.6	
Both sexes: 15-24	54.4	54.1	54.4	—	—	55.3	55.4	
Men:	71.9	71.6	71.8	—	—	73.0	72.6	
— 25 and over	76.8	76.6	76.6	—	—	77.4	77.0	
Women:	42.6	42.9	42.8	—	—	41.7	43.1	
— 25 and over	40.0	40.4	40.4	—	—	39.1	40.7	

CONSUMER PRICE INDEX

	Unadjusted						Seasonally Adjusted		
	1978			% Change From Previous Year			Current Annual Rate of Change		
	Mar.	Apr.	May	Mar.	Apr.	May	Mar.	Apr.	May
All-Items (1971 = 100)	170.8	171.2	173.6	8.8	8.4	9.0	8.1	8.3	11.3
Food "	197.0	200.4	207.1	13.9	14.7	16.9	11.7	16.6	28.0
Total Ex-Food "	161.8	161.2	162.2	7.0	6.1	6.2	6.7	5.4	5.4

EARNINGS AND INCOME

	Unadjusted			Seasonally Adjusted				
	Mar. 1977	Mar. 1978[p]	% change[1]	Jan. 1978[p]	Feb. 1978[p]	Mar. 1978[p]	% change[2] Feb.	Mar.
AVERAGE WEEKLY EARNINGS ($)								
Industrial Composite ($ Current)	244.68	260.90	6.6	256.17	259.93	261.08	1.5	0.4
Real ($ 1971)	154.96	152.39	- 1.7	151.60	152.03	152.20	0.3	0.1
By Regions:								
Atlantic	220.08	227.00	3.1	227.64	227.19	224.33	- 0.2	- 1.3
Quebec	238.53	256.02	7.3	254.65	255.97	256.79	0.5	0.3
Ontario	244.43	261.00	6.8	252.85	260.07	261.60	2.9	0.6
Prairies	241.58	257.17	6.5	254.59	255.35	256.66	0.3	0.5
British Columbia	277.24	294.68	6.3	291.97	293.54	297.72	0.5	1.4
Manufacturing:								
Average Weekly Earnings ($)	261.52	281.44	7.6	272.74	279.64	280.12	2.5	0.5
Average Hourly Earnings ($)	6.21	6.76	8.9	6.63	6.69	6.75	0.9	0.9
Average Weekly Hours	39.9	39.5	1.0	38.1	39.6	39.3	3.9	- 0.8
Total Labour Income ($ Million)	9,555.0	10,366.2	8.5	10,383.9	10,507.0	10,575.4	1.2	0.7
Wages and Salaries - Total	8,853.9	9,581.7	8.2	9,598.0	9,711.7	9,775.1	1.2	0.7
— Manufacturing	2,003.9	2,184.0	9.0	2,149.2	2,201.9	2,214.5	2.5	0.6

JOB VACANCIES

	Unadjusted					Seasonally Adjusted			
	1977			1978	Three months	1977			1978
	II	III	IV	I	ending Apr.	II	III	IV	I
	(nombers in thousands)								
All categories	49.7	52.7	35.6	37.9	37.5	47.8	42.9	40.5	44.7
Full-time jobs	43.2	45.5	30.9	34.3	33.5	41.5	37.4	35.3	39.7
Long-term vacancies	13.2	15.7	12.1	12.1	12.0	14.4	12.5	13.2	13.4

[1]Per cent change from previous year.

[2]Per cent change from previous month.

[p]Preliminary.

Source: Statistics Canada, *The Labour Force*, Cat. No. 71-001. Statistics Canada, *Employment, Earnings and Hours*. Cat. No. 72-002. Statistics Canada, *Quarterly, Report on Job Vacancies*, Cat. No. 71-002, Statistics Canada, *The Consumer Price Index*, 62-001. Labour Canada, *Wage Developments*, Labour Data Branch.

STRIKES AND LOCKOUTS

Statistical information on work stoppages in Canada is compiled by the Labour Data Branch of the Canada Department of Labour on the basis reports from the Canada Manpower Division, Department of Manpower and Immigration. The tables cover strikes and lockouts that amount to 10 more man-days. The number of workers involved includes all workers reported on strike or lockout, whether or not they all belonged to the unit directly involved in the disputes leading to the work stoppages. Workers indirectly affected, such as those laid off as a result of a work stoppage, a not included.

TIME PERSPECTIVE ON WORK STOPPAGES, MARCH 1978

Period	Number beginning during month	Work stoppages in existence during month or year			Per cent estimat working tim
		Number	Workers involved	Duration in man-days	
Year					
1973	677	724	348,470	5,776,080	0.
1974	1,173	1,218	580,912	9,221,890	0.
1975	1,103	1,171	506,443	10,908,810	0.
1976	921	1,039	1,570,940	11,609,890	0.
1977	739	803	217,557	3,307,880	0.
1977					
March	71	131	23,372	207,270	0.
April	78	148	38,237	329,350	0.
May	73	152	34,893	299,940	0.
June	71	156	37,241	307,500	0.
July	55	138	38,802	405,760	0.
August	76	153	34,522	345,970	0.
September	75	174	31,114	245,070	0.
October	56	120	19,716	178,300	0.
November	55	113	32,154	240,850	0.
December	32	101	25,758	353,130	0.
1978(1)					
January	48	96	24,395	365,720	0.
February	64	138	29,705	278,200	0.
March	66	148	37,590	406,510	0.

(1) Preliminary

WORK STOPPAGES BY INDUSTRY, MARCH 1978 (Preliminary)

Industry	Number beginning during month	Work stoppages in existence during month			Cumulative duration in man-days (Jan. to March)
		Number	Workers involved	Duration in man-days	
Agriculture	0	0	0	0	0
Forestry	3	3	1,570	2,770	2,770
Fishing	0	0	0	0	0
Mines	6	8	9,348	98,810	106,900
Manufacturing	30	59	13,291	136,390	357,510
Construction	4	7	842	5,880	13,550
Transp. & Utilities	10	26	6,224	57,630	379,450
Trade	3	14	774	14,490	42,570
Finance	0	0	0	0	520
Service	4	19	2,055	36,080	86,130
Public Admin.	6	12	3,486	54,460	61,030
Various industries	0	0	0	0	0
TOTAL	66	148	37,590	406,510	1,050,430

WORK STOPPAGES BY JURISDICTION, MARCH, 1978 (Preliminary)

Jurisdiction	Number beginning during month	Work stoppages in existence during month			Cumulative duration in man-days (Jan. to March)
		Number	Workers involved	Duration in man-days	
Nfld.	2	3	2,976	42,170	48,5
P.E.I.	0	0	0	0	
N.S.	2	2	760	3,330	5,4
N.B.	2	2	1,183	940	2,3
Quebec	20	61	11,949	153,610	348,2
Ontario	17	36	7,569	80,240	186,7
Manitoba	1	1	350	700	8
Saskatchewan	4	7	1,176	5,740	8,1
Alberta	2	5	2,352	49,400	54,6
B.C.	11	18	7,165	42,230	56,7
Yukon & N.W.T.	0	0	0	0	
Total, provinces	61	135	35,480	378,360	711,6
Federal Public Service(1)	2	2	209	190	3
Federal Industries(2)	3	11	1,901	27,960	338,4
Federal total	5	13	2,110	28,150	338,6
TOTAL	66	148	37,590	406,510	1,050,4

(1) Covered under the Public Service Staff Relations Act.
(2) Covered under the Canada Labour Code: Part V.

NOTE: Numbers relate only to workers directly involved in the dispute.